

**KENDALL COUNTY BOARD AGENDA
ADJOURNED SEPTEMBER MEETING**

Kendall County Office Building, Rooms 209 & 210, Yorkville IL 60560

Tuesday, May 16, 2023, at 9:00 a.m.

1. Call to Order
2. Pledge of Allegiance – Kendall County Veteran’s Assistance Commission
3. Invocation
4. Roll Call
5. Determination of a Quorum
6. Approval of Agenda
7. Special Recognition
 - A. Resolution Honoring Kendall County Citizen of the Year
 - B. Presentation of a 2023 Kendall County Historic Preservation Commission Award for a Lifetime of Dedication to the Field of Historic Preservation to Lowell W. Mathre
 - C. Presentation of a 2023 Kendall County Historic Preservation Commission Award for a Lifetime of Dedication to the Field of Historic Preservation to Stephenie Todd
 - D. Resolution Honoring Military Appreciation Month
8. Public Comment
9. Consent Agenda
 - A. Approval of County Board Minutes from April 18, 2023
 - B. Standing Committee Minutes Approval
 - C. Approval of Claims in an amount not to exceed \$2,903,859.60
 - D. Approval of Petition 23-01 A Request from the Kendall County Planning, Building and Zoning Committee for the Involuntary Revocation of a Special Use Permit for a Specialty Gift Store Granted by Ordinance 2009-25 at 7275 Route 34, Oswego (PIN: 02-14-452-005) in Bristol Township; Property is Zoned R-3 with A Special Use Permit
 - E. Approval of Petition 23-05 A Request from the Kendall County Planning, Building and Zoning Committee for Text Amendments to Appendix 7 of the Kendall County Subdivision Control Ordinance by Removing Phone Numbers and Related Text Adjustments
 - F. Approval of Petition 23-06 A Request from the Kendall County Planning Building and Zoning Committee for Text Amendments to Appendix 7 of the Kendall County Subdivision Control Ordinance by Removing References to Specific Engineering Companies, Engineers, and Related Text Adjustments
 - G. Approval of Petition 23-07 A Request from the Kendall County Planning Building and Zoning Committee for Text Amendments to Appendix 9 A and Appendix 9 B of the Kendall County Subdivision Control Ordinance by Removing Dead Website Links and Related Text Adjustments
 - H. Approval of Petition 23-08 A Request from the Kendall County Planning Building and Zoning Committee for Text Amendments to Section 3:02 of the Kendall County Zoning Ordinance by Amending the Definitions of Brew Pub and Microbrewery
 - I. Approval of Petition 23-09 A Request from the Kendall County Planning Building and Zoning Committee for Text Amendments to Section 3:02 of the Kendall County Zoning Ordinance by Amending the Definitions of Tent
 - J. Approval of Petition 23-10 A Request from the Kendall County Planning Building and Zoning Committee for Text Amendments to Section 11:05 of the Kendall County Zoning Ordinance by Amending the Permitting Requirements of Occupied Recreational Trailers and Mobile Homes (Specifically Deleting the Reference to the Illinois Mobile Home Safety Act)
 - K. Approval of Petition 23-11 A Request from the Kendall County Planning Building and Zoning Committee for the Repealing of Ordinance 1998-10 and Text Amendments to Section 13:01 of the Kendall County Zoning Ordinance by Establishing Procedures to Close Inactive Zoning Related Petitions
 - L. Approval of Petition 23-13 A Request from the Kendall County Planning Building and Zoning Committee for Text Amendments to the Kendall County Zoning Ordinance by Amending Kendall County’s Kennel Regulations
 - M. Approval of Annual Facility Inspection Report for NPDES Permit for Stormwater Discharges from Separate Storm Sewer Systems (MS4); Filing Fee of \$1,000 to be Paid from Planning, Building and Zoning Department’s NPDES Permit Fee Line Item (11001902-63670)
 - N. Revised Organizational Chart and Headcount for County Departments
 - O. Amendment No. 1 to Services Agreement between Meisrow Insurance Services, Inc. and Kendall County, Illinois effective October 1, 2023 through September 30, 2024 in an amount not to exceed \$49,000
 - P. Fee Agreement between The Horton Group, Inc. and Kendall County, Illinois effective July 1, 2023 through June 30, 2024 in an amount not to exceed \$3,693/month with the option to extend for two additional years at 3% increase per year
 - Q. Exit Interview Form
 - R. Resolution Regarding Authorized Driver Procedures
 - S. Agreement between Kendall County and Mathewson Land Services in the amount of \$34,500 for right-of-way consulting services on the Galena Road – Cannonball Trail Intersection Improvement.
 - T. Approval of Kendall County Title VI Statement of Policy and Program Update

- U. Approval of Authorization for Human Resources Department to purchase one license for LinkedIn Recruiter Lite subscription in an amount not to exceed \$1,678.88.
- V. Approval of Water Supply Ordinance
- W. Approve Resolution granting the Kendall County Circuit Clerk the authority to enter into agreements with JANO Technologies on behalf of Kendall County, Illinois
- 10. Old Business
- 11. New Business
 - A. Fiscal Year 2021-22 Audited Financial Statements Presentation – Mack & Associates
 - B. Discussion and Approval of Fiscal Year 2021-22 Audited Financial Statements
 - C. Approve Ordinance to Amend the County Recording Fee Schedule for State Increase to the Rental Housing Support Program Surcharge
- 12. Elected Official Reports & Other Department Reports
 - A. Sheriff
 - B. County Clerk and Recorder
 - C. Treasurer
 - D. Clerk of the Court
 - E. State's Attorney
 - F. Coroner
 - G. Health Department
 - H. Supervisor of Assessments
 - I. EMA
- 13. Standing Committee Reports
 - A. Human Resources/Insurance
 - 1. Amendment to Insurance Benefits Policy set forth in Section 7.7 of the Kendall County Employee Handbook
 - 2. Revised County Administrator Job Description
 - 3. Planning, Building & Zoning Department Director Job Description
 - 4. Administrative Services Department Intern Job Description
 - 5. Human Resources Department Intern Job Description
 - 6. Revised Economic Development Coordinator Job Description
 - 7. Revised Planning, Building & Zoning Department Office Assistant (Part-time) Job Description
 - 8. Revised Planning, Building & Zoning Department Code Official (Full-time) Job Description
 - 9. Revised Planning, Building & Zoning Department Code Official (Part-time) Job Description
 - B. Planning Building & Zoning
 - 1. Approval of Petition 23-12 A Request from the Kendall County Planning Building and Zoning Committee for Text Amendments to the Kendall County Zoning Ordinance By Amending Kendall County's Zoning Regulations Pertaining to Commercial Solar Energy Facilities, Commercial Wind Energy Facilities, Test Solar Energy Facilities, Test Wind Towers, Small Wind Energy Systems, Private Solar Energy Systems, Commercial Wind Farms, Solar Gardens, and Solar Farms
 - 2. Approval of Petition 23-19 A Request from Brent A. Stary and Tracy A. Stary on Behalf of MCB52, Inc. (Property Owner) and Roman Correa on Behalf of R&S Landscaping and Nursery, Inc. (Tenant) for a Special Use Permit for a Landscaping Business, Including Outdoor Storage, Variance to Section 4:05.B and Section 11:02.F.7 of the Kendall County Zoning Ordinance Allowing Parking and Loading No Closer Than Twenty-Five Feet from the Right-of-Way Line of Route 126 and to Allow the Handicapped Accessible Parking Space No Closer than Sixty-Nine Feet of the Right-Of-Way Line of Route 126, Variance to Section 11:02.F.4 of the Kendall County Zoning Ordinance to Allow Parking Spaces at a Depth of Eighteen Feet With a Two Foot Overhang, and a Variance to Section 4:09.A of the Kendall County Zoning Ordinance to Allow the Driveway Off of Grove Road to be less than Twenty Feet in Width Until Such Time as the Driveway is Replaced at 5022 Route 126, Yorkville (PINs: 06-18-200-011 and 06-18-200-013) in Na-Au-Say Township; Property is Zoned A-1 Agricultural
- 14. Special Committee Reports
- 15. Liaison Reports
- 16. Other Business
- 17. Chairman's Report

Appointments

Jason Bragg (Alternate) -KenCom Executive Board (Oswego Fire District)

- 18. Public Comment
- 19. Questions from the Press
- 20. Executive Session
- 21. Adjournment

If special accommodations or arrangements are needed to attend this County meeting,
please contact the Administration Office at 630-553-4171, a minimum 24-hours prior to the meeting time.

COUNTY OF KENDALL, ILLINOIS

Resolution 23-_____

RESOLUTION HONORING MILITARY APPRECIATION MONTH

WHEREAS, the Kendall County Board and the Kendall County community have a deep appreciation for our Nation's military personnel and veterans; and

WHEREAS, many citizens of Kendall County, Illinois have honored our Nation by serving valiantly in the United States Armed Forces and their reserve components; and

WHEREAS, in 1999, the United States Congress first designated the month of May as National Military Appreciation Month because many military related observances such as Memorial Day and Loyalty Day are celebrated and observed during the month of May; and

WHEREAS, National Military Appreciation Month is an opportunity for all of us to thank everyone who currently serves or has served in the military for the sacrifices and hardships they have borne on behalf of a grateful nation. Without these patriotic individuals who have served our country over the years, the freedoms, liberties, and way of life we as Americans hold so dear would be impossible to maintain.

NOW, THEREFORE, BE IT RESOLVED, the Kendall County Board does hereby recognize May as Military Appreciation Month in recognition of the sacrifices of our veterans and active-duty military, their widows, dependents and families; and

BE IT FURTHER RESOLVED, the Kendall County Board encourages all citizens to join us in showing their gratitude by the appropriate display of flags and ribbons during the month of May and to wear red on Fridays throughout the month of May to Remember Everyone Deployed (R.E.D.).

Approved this 16th day of May, 2023.

Attest:

Matthew Kellogg, County Board Chairman

Debbie Gillette, County Clerk and Recorder



**KENDALL COUNTY BOARD
ADJOURNED SEPTEMBER MEETING
APRIL 18, 2023**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

The Kendall County Board Meeting was held at the Kendall County Office Building, Rooms 209 & 210, in the City of Yorkville on Tuesday, April 18, 2023, at 9:00 a.m. The Clerk called the roll. Members present: Matt Kellogg, Zach Bachmann, Brian DeBolt, Elizabeth Flowers, Scott Gengler, Dan Koukol, Jason Peterson, Ruben Rodriguez, Brooke Shanley (9:12am) and Seth Wormley. Member(s) absent: None.

The Clerk reported to the Chairman that a quorum was present to conduct business.

PLEDGE OF ALLEGIANCE

Taylor Cosgrove along with several puppies from Animal Control led the Pledge of Allegiance.

INVOCATION

Mike Alexander gave the invocation.

THE AGENDA

Member DeBolt moved approve the agenda. Member Gengler seconded the motion. Chairman Kellogg asked for a voice vote on the motion. All members present voting aye. Motion carried.

SPECIAL RECOGNITION

Joseph Gruber III, DDS

Member Peterson moved to approve the proclamation honoring Joseph Gruber III, DDS. Member Rodriguez seconded the motion. Chairman Kellogg asked for a voice vote on the motion. All members present voting aye. Motion carried.

A complete copy of IGAM 23-13 is available in the Office of the County Clerk.

Patricia Walker

Member Gengler moved to approve the resolution honoring Patricia Walker. Member DeBolt seconded the motion. Chairman Kellogg asked for a voice vote on the motion. All members present voting aye. Motion carried.

A complete copy of Resolution 23-17 is available in the Office of the County Clerk.

Scott Koeppel

Member Flowers moved to approve the resolution honoring Kendall County Administrator Scott Koeppel. Member Koukol seconded the motion. Chairman Kellogg asked for a voice vote on the motion. All members present voting aye. Motion carried.

A complete copy of Resolution 23-18 is available in the Office of the County Clerk.

PUBLIC COMMENT

Mike Alexander stated that he works alongside his children in the Ministry of Mentoring Kids.

Margaret Sheehan spoke about elections.

CONSENT AGENDA

Member DeBolt moved to approve the consent agenda of
A. Approval of County Board Minutes from March 21, 2023
B. Standing Committee Minutes Approval
C. Approval of Claims in an amount not to exceed \$1,464,267.95

D. Approve Facilities Management Department Administrative Assistant Job Description
E. Approve Facilities Management Department Maintenance I Job Description
F. Approve Facilities Management Department Maintenance II Job Description
G. Approve Updated Organizational Chart and Headcount for Kendall County Departments
H. Approve Amendment to Flextime Policy
I. Approve Resolution Regarding Personnel Action Notice Procedure
J. Approval of the Release of the Finance & Budget Committee Executive Session review minutes dated August 25, 2022, and March 30, 2023
K. Approval of the Release of the Human Resources & Insurance Committee Executive Session review minutes dated August 15, 2015; February 28, 2017; June 27, 2017; July 20, 2017; March 16, 2022; October 6, 2022; and April 3, 2023
L. Approval to the Release the Executive Session Minutes of the April 10, 2023, Planning, Building and Zoning Committee Meeting
M. Approval of Resolution authorizing applications for and execution of a FY2022 and FY2023 Section 5310 grant agreement under the Regional Transportation Authority's general authority to make such Grants.
N. Approval of Resolution for the Kendall Area Transit Program on Behalf of Kendall County, Illinois Granting Signature Authority to the County Administrator or the Deputy County Administrator in the Administrator's Absence.
O. Resolution awarding contracts to the low bidders for the following projects:
23-00000-00-GM to Superior Road Striping in the amount of \$290,838.20
23-00000-01-GM to D Construction, Inc. in the amount of \$240,245.75
23-00000-02-GM to D Construction, Inc. in the amount of \$2,139,939.20
23-01000-00-GM to A.C. Pavement Striping in the amount of \$71,908.00
23-02000-00-GM to D Construction, Inc. in the amount of \$68,956.75
23-03000-00-GM to A.C. Pavement Striping in the amount of \$104,935.50
23-04000-00-GM to D Construction, Inc. in the amount of \$415,485.04
23-05000-00-GM to A.C. Pavement Striping in the amount of \$75,690.00
23-06000-00-GM to D Construction, Inc. in the amount of \$156,537.65
23-07000-00-GM to D Construction, Inc. in the amount of \$171,804.95
23-08000-00-GM to D Construction, Inc. in the amount of \$402,594.25
23-09000-00-GM to A.C. Pavement Striping in the amount of \$63,342.00
P. Approve the Intergovernmental Agreement between Kendall County, Illinois and the City of Joliet, Illinois, relating to the construction of Ridge Road, Section 19-00149-00-PW
Q. Approve a Resolution authorizing the use of eminent domain to acquire certain parcels of land for roadway purposes on Fox Rive Drive (N. Johnson St.) in Kendall County, Illinois
R. Awarding to EVT Tech the bid for fleet vehicle upfit and emergency maintenance service for Sheriff's Office vehicles
S. Approval of the updated Intergovernmental Agreement with DuPage County for inmate housing.
Member Peterson seconded the motion. Chairman Kellogg asked for a roll vote on the motion. All members present voting aye. **Motion carried.**

C) COMBINED CLAIMS: ADMIN \$12,416.23; ANML CNTRL WRDN \$3,354.37; CIR CT CLK \$793.63; CIR CRT JDG \$8,965.49; CMB CRT SRV \$1,268.24; CORONR \$1,847.16; CORR \$48,311.58; CNTY ADMIN \$125,019.66; CNTY BRD \$162,004.55; CNTY CLK \$8,648.67; HIGHWY \$193,898.17; CNTY TRSR \$3,116.65; ELECTION \$20,341.77; EMA DIR \$3,687.52; EMA \$563.80; FCLT MGMT \$25,289.28; GIS COORD \$5,863.06; HLTH & HMN SRV \$160,071.58; JURY \$398.00; MERIT \$16,065.00; PBZ \$1,909.79; POST \$1,492.98; PRSD JDGE \$8,585.97; PROB SPVSR \$13,515.78; PUB DFNDR \$1,609.73; ROE \$7,478.87; SHRF \$40,389.63; ST ATTY \$4,030.88; TECH \$9,315.61; TRSR \$230.10; UTIL \$25,699.54; VET \$2,340.47; FP \$18,160.52; SHF \$396,594.42; SHF \$86,366.91; ELECTION \$44,622.34.

- I)** A complete copy of Resolution 23-19 is available in the Office of the County Clerk.
- M)** A complete copy of Resolution 23-20 is available in the Office of the County Clerk.
- N)** A complete copy of Resolution 23-21 is available in the Office of the County Clerk.
- O)** A complete copy of Resolution 23-22 is available in the Office of the County Clerk.
- P)** A complete copy of IGAM 23-16 is available in the Office of the County Clerk.
- Q)** A complete copy of Resolution 23-23 is available in the Office of the County Clerk.
- R)** A complete copy of IGAM 23-14 is available in the Office of the County Clerk.
- S)** A complete copy of IGAM 23-15 is available in the Office of the County Clerk.

NEW BUSINESS

Interim County Administrator

Member Shanley moved to Latreese Caldwell as the Interim County Administrator with a stipend in the amount of \$3,000.00 per month to be paid in bi-weekly installments pursuant to Kendall County's regular payroll schedule, effective retroactively to April 10, 2023. Member Rodriguez seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

ELECTED OFFICIAL & OTHER DEPARTMENT REPORTS

Sheriff

Under Sheriff Richardson reviewed the report in the packet.

County Clerk & Recorder

Revenue Report		3/1/23-3/31/23	3/1/22-3/31/22	3/1/21-3/31/21
Line Item	Fund	Revenue	Revenue	Revenue
CLKFEE	County Clerk Fees	\$615.50	\$900.00	\$1,542.50
MARFEE	County Clerk Fees - Marriage License	\$930.00	\$1,050.00	\$1,260.00
CIVFEE	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$0.00
ASSUME	County Clerk Fees - Assumed Name	\$20.00	\$75.00	\$100.00
CRTCOP	County Clerk Fees - Certified Copy	\$1,806.00	\$1,760.00	\$1,886.00
NOTARY	County Clerk Fees - Notary	\$0.00	\$360.00	\$290.00
MISINC	County Clerk Fees - Misc	\$67.00	\$110.00	\$92.00
	County Clerk Fees - Misc Total	\$3,438.50	\$4,255.00	\$5,170.50
RECFEE	County Clerk Fees - Recording	\$22,490.00	\$32,324.00	\$51,622.00
	Total County Clerk Fees	\$25,928.50	\$36,579.00	\$56,792.50
CTYREV	County Revenue	\$40,922.50	\$52,345.00	\$63,959.75
DCSTOR	Doc Storage	\$12,990.50	\$18,910.00	\$30,421.50
GISMAP	GIS Mapping	\$41,250.00	\$60,000.00	\$96,218.00
GISRCD	GIS Recording	\$2,750.00	\$4,000.00	\$6,414.00
INTRST	Interest	\$124.02	\$28.95	
RECMIS	Recorder's Misc	\$4,121.25	\$8,096.25	\$5,585.50
RHSP	RHSP/Housing Surcharge	\$11,079.00	\$16,200.00	\$27,765.00
TAXCRT	Tax Certificate Fee	\$1,800.00	\$1,880.00	\$1,640.00
TAXFEE	Tax Sale Fees	\$500.00	\$670.00	\$1,020.00
PSTFEE	Postage Fees	\$405.00	\$491.11	\$575.64
CK # 19648	To KC Treasurer	\$141,870.77	\$199,200.31	\$290,391.89

Treasurer

Office of Jill Ferko
Kendall County Treasurer & Collector
111 W. Fox Street Yorkville, IL 60560

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES FOR FOUR MONTHS ENDED 03/31/2023

Annual	2023 YTD	2023 YTD%	2022 YTD	2022 YTD
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<u>REVENUES*</u>	<u>Budget</u>	<u>Actual</u>	<u>%</u>	<u>Actual</u>	<u>%</u>
Personal Property Repl. Tax	\$915,000	\$291,442	31.85%	\$309,978	66.66%
State Income Tax	\$3,158,685	\$979,467	31.01%	\$970,883	37.71%
Local Use Tax	\$760,000	\$214,019	28.16%	\$208,012	21.90%
State Sales Tax	\$650,000	\$186,300	28.66%	\$156,069	26.77%
County Clerk Fees	\$350,000	\$83,681	23.91%	\$111,599	31.89%
Circuit Clerk Fees	\$1,050,000	\$322,754	30.74%	\$278,496	22.28%
Fines & Foreits/St Atty.	\$250,000	\$90,880	36.35%	\$64,844	23.58%
Building and Zoning	\$80,000	\$14,651	18.31%	\$37,509	50.01%
Interest Income	\$75,000	\$293,460	391.28%	\$10,990	27.48%
Health Insurance - Empl. Ded.	\$1,488,365	\$436,767	29.35%	\$408,842	25.74%
1/4 Cent Sales Tax	\$3,228,750	\$834,584	25.85%	\$791,871	24.53%
County Real Estate Transf Tax	\$450,000	\$111,760	24.84%	\$158,431	35.21%
Federal Inmate Revenue	\$584,000	\$122,960	21.05%	\$477,200	25.14%
Sheriff Fees	\$113,663	\$35,460	31.20%	\$31,887	27.73%
TOTALS	\$13,153,463	\$4,018,185	30.55%	\$4,016,610	29.02%
Public Safety Sales Tax	\$7,500,000	\$1,599,460	21.33%	\$1,525,328	27.67%
Transportation Sales Tax	\$7,500,000	\$1,599,460	21.33%	\$1,525,328	25.42%

****All Accruals have been completed at this time. So these figures are where we currently stand for FY2023**

*Includes major revenue line items excluding real estate taxes which are to be collected later.

To be on Budget after 4 months the revenue and expense should at 33.32%

Treasurer, Jill Ferko stated that the audit is wrapping up and tax bills will be headed to the printer soon.

State's Attorney

State's Attorney, Eric Weis thanked the board for coming to their office for the Committee of the Whole meeting. Mr. Weis also thanked Scott Koeppel for all his work with the County.

Coroner

Coroner Jacquie Purcell presented the monthly report.

Health Department

Executive Director RaeAnn VanGundy presented the 2022 Annual Report.

EMA

Roger Bonuchi thanked Scott Koeppel for his service to the County. The hazard mitigation plan meeting is today. They had their storm watcher training.

STANDING COMMITTEE REPORTS

Finance

Budget Revision

Member Gengler moved to approve the budget revision to increase FY23 Non-Union salaries to 5% increase. Member DeBolt seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Facilities and Technology

Annex Demolition

Member Rodriguez moved to approve Phase One BG1 BP#1 Annex Demolition with Fowler Enterprises LLC Including Alternates #1, #2, #3 in an amount not to exceed \$55,250. Member Peterson seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

101 W Fox St Purchase

Member Gengler moved to approve a Resolution Granting the Kendall County Board Chair Authority to Execute All Documents Necessary for the Purchase of 101 W. Fox Street, Yorkville, Illinois. Member Wormley seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Resolution 23-24 is available in the Office of the County Clerk.

SPECIAL COMMITTEE REPORTS

Agriculture Areas Committee

Petition 23-02

Member DeBolt moved to approve Petition 23-02, Request from Kirk Friestad, Phyllis Friestad, Friestad Farms, Inc., KEJ Farms, Scott Friestad, Kristin A. Friestad, Jared Friestad, Nicole Hughes, Dana Friestad and Laurie Friestad for the Creation of an Agricultural Area on the Properties Identified by the Following Parcel Identification Numbers in Lisbon Township: 08-17-400-004, 08-17-400-003, 08-09-126-004, 08-09-126-005, 08-18-300-003, 08-18-300-008, 08-18-300-007 (Part), 08-18-300-010 (Part) 08-18-300-006, 08-18-400-017, 08-18-400-016, and 08-07-200-001 . Member Kellogg seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye except Koukol. **Motion carried 9-1.**

A complete copy of Resolution 23-25 is available in the Office of the County Clerk.

Petition 23-03

Member DeBolt moved to approve Petition 23-03, Request from Kirk Friestad, Phyllis Friestad, C Robert Friestad and Sharon L. Friestad on Behalf of the C Robert Friestad and Sharon L Friestad Family Trust, and Scott Friestad for the Creation of an Agricultural Area on the Properties Identified by the Following Parcel Identification Numbers in Lisbon Township: 08-33-300-001, 08-33-300-002, 08-33-200-001, 08-33-200-009, and 08-34-100-004. Member Kellogg seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye except Koukol. **Motion carried 9-1.**

Co Board 4/18/2023

A complete copy of Resolution 23-26 is available in the Office of the County Clerk.

Petition 23-04

Member DeBolt moved to approve Petition 23-04 Request from Dana Friestad, Laurie M. Friestad, C Robert Friestad and Sharon L Friestad on Behalf of the C Robert Friestad and Sharon L. Friestad Family Trust, Scott Friestad, Kristin A. Friestad, and Ralph E. Fletcher, Jr. on Behalf of the Fletcher Family Trust for the Creation of an Agricultural Area on the Properties Identified by the Following Parcel Identification Numbers in Lisbon Township: 08-28-400-018, 08-28-400-017, 08-28-400-016, 08-21-400-009, 08-21-400-008 (Part), 08-21-200-006, 08-21-200-009, 08-16-400-008, 08-15-400-001, 08-16-400-005, 08-16-400-009, 08-15-300-002 (Part), 08-15-300-001 (Part), 08-28-200-004, and 08-27-100-001 . Member Kellogg seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye except Koukol. **Motion carried 9-1.**

A complete copy of Resolution 23-27 is available in the Office of the County Clerk

Connect Kendall County Commission

Member Bachmann stated that they are meeting tonight and will have a presentation.

CHAIRMAN'S REPORT

Member DeBolt moved to approve the appointment(s). Member Flowers seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Appointments

Steve Gengler – Public Aid Appeals Committee (Kendall Township) – 2 year term – expires April 2025
Robert Walker - Public Aid Appeals Committee (Bristol Township) – 2 year term – expires April 2025
Brad Blocker – Public Aid Appeals Committee (Na-Au-Say Township) – 2 year term – expires April 2025
Tim O'Brien – Public Aid Appeals Committee (Seward Township) – 2 year term – expires April 2025
Joe West – Public Aid Appeals Committee Alternate (Oswego Township) – 2 year term - expires April 2025

ADJOURNMENT

Member Koukol moved to adjourn the County Board Meeting until the next scheduled meeting. Member Bachmann seconded the motion. Chairman Kellogg asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Approved and submitted this 8th day of May 2023.

Respectfully submitted by,

Debbie Gillette

Kendall County Clerk

HIGHWAY COMMITTEE MINUTES

DATE: April 11, 2023
LOCATION: Kendall County Highway Department
MEMBERS PRESENT: Zach Bachman, Ruben Rodriguez, Brian DeBolt, & Scott Gengler
STAFF PRESENT: Michele Riley, John Burscheid and Francis Klaas
ALSO PRESENT: PJ Fitzpatrick and Jeremy Hudek

The committee meeting convened at 3:30 P.M. with roll call of committee members. Koukol Absent. Quorum established.

Motion DeBolt; second Rodriguez, to approve the agenda as presented. Motion approved unanimously.

Motion DeBolt; second Gengler, to approve the Highway Committee meeting minutes from March 14, 2023. Motion approved unanimously.

Motion DeBolt; second Gengler to recommend approval of resolution awarding contracts to the low bidders for the following projects:

23-00000-00-GM to Superior Road Striping in the amount of \$290,838.20
23-00000-01-GM to D Construction, Inc. in the amount of \$240,245.75
23-00000-02-GM to D Construction, Inc. in the amount of \$2,139,939.20
23-01000-00-GM to A.C. Pavement Striping in the amount of \$71,908.00
23-02000-00-GM to D Construction, Inc. in the amount of \$68,956.75
23-03000-00-GM to A.C. Pavement Striping in the amount of \$104,935.50
23-04000-00-GM to D Construction, Inc. in the amount of \$415,485.04
23-05000-00-GM to A.C. Pavement Striping in the amount of \$75,690.00
23-06000-00-GM to D Construction, Inc. in the amount of \$156,537.65
23-07000-00-GM to D Construction, Inc. in the amount of \$171,804.95
23-08000-00-GM to D Construction, Inc. in the amount of \$402,594.25
23-09000-00-GM to A.C. Pavement Striping in the amount of \$63,342.00

Chairman Bachman presented the low bidders for 19 County, Township and Municipal projects. Kendall County will be the awarding authority for 12 of these projects because they contain Motor Fuel Taxes. Bids were very competitive, and averaged about 15% below the engineer's estimate. D Construction got all the HMA projects, while AC Pavement Striping got all the seal coat projects. Burscheid provided some additional information on the contractor, AC Pavement Striping, who has worked for Kendall County in past years, but not recently. Klaas explained that the engineer's estimates were raised slightly this year, based on previous bids that were opened in other adjacent counties. DeBolt stated that you get the best prices in the spring when contractors are scheduling their work for the year; and Klaas confirmed that Kendall County intentionally schedules their biggest bid opening at this time each year. Rodriguez asked for more information about the Orchard Road resurfacing project, and whether any nighttime work would be allowed. Klaas provided a summary of the proposed construction. No nighttime work will be allowed due to concerns about the quality of the construction. Upon consideration, motion was approved unanimously.

Motion DeBolt; second Gengler to recommend approval of an intergovernmental agreement between Kendall County, Illinois and the City of Joliet, Illinois, relating to the construction of Ridge Road, Section 19-00149-00-PW. This agreement was drafted by the Kendall County SAO, and was approved by the City of Joliet on April 4, 2023. It provides for the maintenance of street lighting by the City of Joliet, and maintenance of the new traffic signal at Plainfield South High School by Kendall County. Motion approved unanimously.

Motion DeBolt; second Gengler to recommend approval of a resolution authorizing the use of eminent domain to acquire certain parcels of land for roadway purposes on Fox Rive Drive (N. Johnson St.) in Kendall County, Illinois. Klaas explained that the County Board had just passed an eminent domain resolution last month for this same job. At the time, he didn't think there would be any additional parcels; however, he was notified by the County's land negotiator that two additional parcels had become non-responsive. The odd thing was that the acquisitions are tiny. One of them included only an area that was already being used for public right-of-way. Klaas could not understand why there would be any opposition to the acquisition; but since our land negotiator had made this recommendation, he believes it should be done. It may incentivize the property owners to settle without actually filing in court. Rodriguez asked if the County meets with the property owners in person, or if it was just by phone/email. Klaas stated that the County's land negotiator tries to meet with everyone in person. Upon further consideration, the motion approved unanimously.

Chairman Bachman described the recent efforts by the Connect Kendall County Commission, involving planning to provide fast internet service to all areas of Kendall County. One of the ideas was to try to place conduit during road construction projects. Klaas expressed some concerns about the placement of conduits in the County's rights-of-way, due to constant conflicts with the many utilities that place their facilities in the r.o.w. DeBolt thought it would make sense to finalize the map first – the areas where conduit is needed – before getting ahead of ourselves. Klaas agreed that we would need to know first where the fiber is to be located, and then try to incorporate those improvements as part of the roadway contract, to get a better price on the installation. He also noted that there would be ongoing costs for the Commission; because once those fibers are in the ground, they may need to be moved in the future, when any road widening projects are planned. By State Law, this cost falls on the owner of the utility. Bachman believed that the cost would likely be the responsibility of the Commission/County. Klaas also asked Bachman if he foresaw that in the future, the hard wire (fiber) might be replaced with some other technology. Bachman stated that there is already a plan to lay fiber, and supplement that with some areas of wireless technology. Committee discussed some of the issues with changing technology and what might happen in the future. Bachman stated that he will discuss some of these issues and concerns with the Commission.

In other business, DeBolt asked about the opening for the Eldamain Bridge. Klaas stated that the tentative ribbon cutting would be May 31, 2023; but he also asked the Committee what they wanted to have for the opening. He thought it would be best to stage the ribbon cutting on the south side of the bridge, where there is more room to park. Rodriguez felt that the County should have a pretty big event because it is such a significant project. Committee agreed, and discussed several possibilities for the event, including food and refreshments. Klaas suggested the possibility of having the ribbon cutting on May 31st and actually opening the road to the public the next day, due to pavement markings that have to be changed at River Road. Bachman thought that was reasonable. DeBolt thought that there should be a significant celebration

because the project is so important, and was built with very little taxpayer money. Rodriguez suggested that the new volunteer committee in HR might be able to help coordinate the event.

DeBolt asked about cleaning roadway ditches. Klaas stated that the County does not have an Adopt-A-Highway program because he just doesn't feel it is safe, due to the rural nature of most county highways and the excessive speed of the vehicles. This is why IDOT's program is only allowed in corporate limits, where the speed limits are lower. DeBolt also asked if county employees pick up litter in the ditches, and Klaas confirmed that highway employees pick up litter every year along county highways. DeBolt related a funny story about an elderly woman picking up aluminum cans along Lisbon Road in rural Kendall County. Burscheid described the pick up efforts on Eldamain Road near the waste transfer station; but that was a requirement of the zoning for the transfer station.

DeBolt asked about the path connection between Hoover Forest Preserve and Fox River Bluffs Forest Preserve. Klaas said that the Forest Preserve can apply for TAP Funds. Normally, the maximum grant has a \$50,000 limit; but the Board has exceeded that several times. The Forest Preserve can apply for these funds at any time. The Wayne Borneman farm is the only privately-owned parcel between the two forest preserves. The committee discussed ways to connect the two forest preserves, who could do the work, and how funding might work.

DeBolt had questions about the ditch along the north side of Plattville Road near Pletcher Drive. He wondered if the County would be responsible for getting the grass to grow and fixing any rutting caused by accidents. Klaas stated that County Highway would make sure this area is growing real well before they stop maintaining. Burscheid indicated this is a common problem; and if they'll just be patient, this should work out fine.

Klaas presented a graph of the Fox River elevations at the Montgomery gauge over the past 5 years. He compared the elevations during the construction of the Millington Bridge, as opposed to the construction of the Eldamain Bridge. River elevations were constantly high during Millington construction, while the elevations stayed consistently low during Eldamain construction.

Gengler asked about the progress on Collins Road Extension. Klaas stated that the bid opening was March 10, 2023. Project was awarded to the low bidder on March 29, 2023; but construction will probably not start for another 6 weeks. The construction that you see now is water main construction by the Village of Oswego. There was some tree removal on Collins and Minkler that was performed by the County; but that work was separate from the roadway contract, because all the trees had to be removed by April 1, 2023. This is due to restrictions related to Indiana Bat and Long-Eared Bat habitat. Burscheid stated that trees on roadway contracts can only be removed between October 31st and April 1st.

Gengler asked about the progress on the Galena – Cannonball intersection. Klaas indicated that if everything went perfectly, the project would go to letting next year in the spring of 2024. However, he stated that he expected some difficulties with land acquisition. Burscheid stated that construction of Galena – Kennedy intersection should have begun already, but the County is still having trouble getting utilities moved. We are having the same utility relocation troubles with the curve relocation on Cannonball Trail west of Ill. Rte. 47.

Motion Rodriguez; second Gengler to forward Highway Department bills for the month of April in the amount of \$193,898.17. Motion approved unanimously.

Motion DeBolt; second Rodriguez, to adjourn the meeting at 4:21 P.M. Motion carried unanimously.

Respectfully submitted,



Francis C. Klaas, P.E.
Kendall County Engineer

Action Items

1. Resolution awarding contracts to the low bidders for the following projects:
 - 23-00000-00-GM to Superior Road Striping in the amount of \$290,838.20
 - 23-00000-01-GM to D Construction, Inc. in the amount of \$240,245.75
 - 23-00000-02-GM to D Construction, Inc. in the amount of \$2,139,939.20
 - 23-01000-00-GM to A.C. Pavement Striping in the amount of \$71,908.00
 - 23-02000-00-GM to D Construction, Inc. in the amount of \$68,956.75
 - 23-03000-00-GM to A.C. Pavement Striping in the amount of \$104,935.50
 - 23-04000-00-GM to D Construction, Inc. in the amount of \$415,485.04
 - 23-05000-00-GM to A.C. Pavement Striping in the amount of \$75,690.00
 - 23-06000-00-GM to D Construction, Inc. in the amount of \$156,537.65
 - 23-07000-00-GM to D Construction, Inc. in the amount of \$171,804.95
 - 23-08000-00-GM to D Construction, Inc. in the amount of \$402,594.25
 - 23-09000-00-GM to A.C. Pavement Striping in the amount of \$63,342.00
2. Intergovernmental Agreement between Kendall County, Illinois and the City of Joliet, Illinois, relating to the construction of Ridge Road, Section 19-00149-00-PW
3. Resolution authorizing the use of eminent domain to acquire certain parcels of land for roadway purposes on Fox Rive Drive (N. Johnson St.) in Kendall County, Illinois

HIGHWAY COMMITTEE MINUTES

DATE: May 9, 2023
LOCATION: Kendall County Highway Department
MEMBERS PRESENT: Zach Bachmann, Ruben Rodriguez, Brian DeBolt, Dan Koukol & Scott Gengler
STAFF PRESENT: Michele Riley, & John Burscheid
ALSO PRESENT: PJ Fitzpatrick

The committee meeting convened at 3:30 P.M. with roll call of committee members. Quorum established.

Motion DeBolt; second Rodriguez, to approve the agenda as presented. Motion approved unanimously.

Motion DeBolt; second Gengler, to approve the Highway Committee meeting minutes from April 11, 2023. Motion approved unanimously.

Motion Rodriguez; second Koukol to recommend Agreement between Kendall County and Mathewson Land Services in the amount of \$34,500 for right-of-way consulting services on the Galena Road – Cannonball Trail Intersection improvement.

Chairman Bachmann noted that although Klaas is not present for the meeting, he did have notes regarding the agreement. Chairman Bachmann indicated that these funds for a small land acquisition project that is important so that construction can start shortly. DeBolt mentioned there may be some contention where some homeowners may not want to sell. Motion approved unanimously.

Chairman Bachmann described the events of the Eldamain Bridge Ribbon Cutting. He confirmed the date of May 31st, 2023 at 1:00PM on the South Side of the bridge. Chairman Bachmann stated we are still in the process of getting a head count on various speakers. In addition, commemorative coins have been ordered. Chairman Bachmann described the coins, Riley indicated coins are one sided with the Kendall County logo in the center and Eldamain Bridge listed at the top along with May 31, 2023 along the bottom. Gengler stated he would prefer a Francis C. Klaas coin, Riley indicated that Chairman Kellogg approved a small handful of those coins to be ordered in addition to the Eldamain Road ones. Rodriguez mentioned they are looking to make a wall of fame in the boardroom for all of our projects. Chairman Bachmann indicated that he and Chairman Kellogg are working on their speeches for the ribbon cutting. He asked if any board members had specific notes to please share with them. Rodriguez inquired as to who will be speaking at the event. Chairman Bachmann confirmed that both he and Chairman Kellogg will be speaking. Riley presented the itinerary along with the flyer that HR Green created. DeBolt read itinerary allowed to group. DeBolt related how the weather cooperated with the building of the bridge.

In other business, Gengler asked if TAP funds need to be discussed, specifically the Forest Preserve trail underneath the bridge. Burscheid indicated he believes Klaas has been working with the forest preserve on this. Bachmann indicated he does not believe that there has been a

clear picture as to who is taking the lead on this, his understanding is that Forest Preserve wants the highway to take the lead on this. DeBolt mentioned he understands there may be more than the \$75,000 available and his concern that the semis will be going so fast that a horse will get hit. Burscheid indicated that he knows there is a trail going under the bridge, DeBolt agreed, stating it will connect to the Fox River Bluffs. DeBolt indicated he would feel better once that is in place. DeBolt mentioned that if people are on the west end of Hoover and had to go back to their cars and drive over to Fox River Bluffs, they would just attempt to cross the road which could be dangerous. DeBolt inquired about a 4' chain link fence to be installed to keep people from crossing. Burscheid indicated a chain link fence is being installed underneath the bridge on the south side to keep people from vandalizing it. He compared it to the Orchard Road bridge, as it is vandalized frequently. Burscheid explained we used a very expensive product and painted the piers to keep the graffiti off there, and a fence is being installed around the piers. DeBolt said to ask Klaas about the road as well to keep people off the road.

Gengler asked Chairman Bachmann to have the funding mentioned on the Eldamain Bridge brochure. He would like all the grants listed. Riley indicated that Evalation Consulting, Kendall County's lobbyist is listed, and they were the ones who secured a lot of these funds. Rodriguez asked if the Prairie Parkway donated any funds. Riley and Burscheid indicated that we do not believe they were part of the funding. Riley indicated that a \$675,000 DCEO grant from Keith Wheeler was obtained. Chairman Bachmann agreed with Gengler and would like funding to be outlined on the brochure so that tax payers can see how much money the highway department did due diligence and built the bridge with minimal funds from the tax payers.

Motion DeBolt; second Rodriguez to forward Highway Department bills for the month of May in the amount of \$396,587.75. Motion approved unanimously.

Gengler inquired if there is anything out of the ordinary. Burscheid indicated that construction season has kicked off. DeBolt asked if we were able to obtain the last few pieces of property coming out of Newark. Burscheid indicated that he is unaware and needs to be addressed by Klaas. Rodriguez inquired about the project at Crimmins Road, Burscheid described the project as paving and explained crown corrections. Next year it will be chipped again. Koukol inquired about the progress of Ridge and Caton Farm Road. Burscheid indicated it is progressing. Koukol asked if there is a gas station on the southwest corner. Burscheid has not heard of any gas station being proposed.

Motion Gengler; second Koukol, to adjourn the meeting at 3:52 P.M. Motion carried unanimously.

Respectfully submitted,

A handwritten signature in black ink, reading "Michele Riley". The signature is written in a cursive, flowing style.

Michele Riley
Administrative Assistant

Action Items

1. Agreement between Kendall County and Mathewson Land Services in the amount of \$34,500 for right-of-way consulting services on the Galena Road – Cannonball Trail Intersection Improvement.

COUNTY OF KENDALL, ILLINOIS
ECONOMIC DEVELOPMENT/ ADMINISTRATION COMMITTEE
Meeting Minutes for Thursday April 19, 2023, at 5:30 p.m.

Call to Order The meeting was called to order by Committee Chair Elizabeth Flowers at 5:30pm.

Roll Call

Attendee	Status	Arrived	Left Meeting
Elizabeth Flowers	Here		
Scott Gengler	Present		
Dan Koukol	Here		
Brooke Shanley	Here		
Seth Wormley		5:32 pm	

Staff Present: Roger Bonuchi, Taylor Cosgrove, Brianna Falk, Scott Koeppel

Approval of Agenda –

Member Koukol made a motion to approve the agenda, second by Member Shanley. **With 4 members voting aye, the motion was carried by a vote of 4-0.**

Committee Reports and Updates

A. Animal Control Department Update –

Animal Control director, Taylor Cosgrove, briefed the committee on updated reports from March. Copy of March 2023 Financial Statements and the average length of stay report are included in the packet.

B. Emergency Management Agency Update –

EMA director, Roger Bonuchi, briefed the committee on updated reports from March. Hazard Mitigation plan meeting was held on April 18 at Oswego Fire Department. KCEMA will host a CERT session with Oswego PD in the spring. Date of the session is yet to be determined. Mr. Bonuchi mentioned that the Pediatric Disaster Response class was successful with 35 people in attendance.

New Committee Business

A. Presentation: Greater Chicagoland Economic Partnership- Chris Chaidez & Kyle Schultz

Mr. Kyle Schultz, Vice President and workforce Development & Executive Sponsor of Greater Chicagoland Economic Partnership, gave a presentation on the partnership between Greater Chicagoland and the surrounding counties. Mr. Schultz introduced Christopher Chaidez as the Greater Chicagoland Economic Partnership Regional Manager.

Old Committee Business – None

Chairman's Report – None

Public Comment –

Amanda Buchanan spoke about a dog attack that occurred on February 12, 2023.

Debra Peterson spoke about a dog attack that occurred on February 12, 2023.

Amy Hunte spoke about her dog attack that occurred on February 12, 2023.

Questions for the Media- None

Executive Session – None

Items for the Committee of the Whole Meeting – None

Action Items for County Board- None

Adjournment – Member Koukol made a motion to adjourn, second by Member Shanley. **With 5 members present in agreement, the meeting was adjourned at 6:23p.m.**

Respectfully submitted,
Nancy Villa,
Executive Administrative Assistant

COUNTY OF KENDALL, ILLINOIS
HUMAN RESOURCES AND INSURANCE COMMITTEE
Meeting Minutes for Monday, May 1, 2023, at 5:30 p.m.

Call to Order

The meeting was called to order by Committee Chair Ruben Rodriguez at 5:30 p.m.

Roll Call

Attendee	Status	Arrived	Left Meeting
Ruben Rodriguez	Here		
Jason Peterson	Present		
Elizabeth Flowers	Present		
Zach Bachmann	Here		
Matt Kellogg	Affirmative		

Staff Present: Leslie Johnson, Tricia Springman,

Approval of Agenda – Member Bachmann made a motion to approve the agenda, second by Member Flowers. **With five members voting aye, the motion was carried by a vote of 5-0.**

Committee Reports and Updates –

A. Monthly Benefits Report Provided by Kendall County Treasurer’s Office

Monthly Medical Insurance report provided by the Treasurer’s office on page 3 of packet.

B. Monthly Report Provided by the Kendall County Human Resources Department

HR director Leslie Johnson spoke about the updates in the Human Resources Department for the month of April. Report provided in packet on page 5.

Key Points mentioned by Ms. Johnson were:

- Staff are working on the EEO-4 survey. A survey was sent out to all employees to collect accurate results.
- HR Department’s first intern is scheduled to start this upcoming Monday May 8. The second intern is scheduled to start in June of this year.
- Department head training for OSHA is in process.
- Authorized drivers- making sure that everyone who is driving county insured vehicles are covered under the county’s insurance.
- Employee service awards- online store is closed. Water bottles have been passed out to employees who completed 5 years or more.
- Employee service award recognition ceremony is scheduled for the June County Board meeting.
- Employee demographics data continues to be collected.

New Committee Business -

- A. *MOTION (VV) (Forward to CB 5/16/2023 Meeting):** Revised County Administrator Job Description

Member Bachmann made a motion to forward to May 16th County Board meeting, second by Member Flowers. **With five members voting aye, the motion was carried by a vote of 5-0.**

- B. ***DISCUSSION & Possible Motion (VV) (Forward to Finance & Budget Committee):** Recruitment Options for new County Administrator

Tricia Springman, HR Generalist, spoke about recruitment options for the County Administrator vacancy. The committee were in favor of the Recruiter Lite option. Recruiter Lite is LinkedIn's recruiting tool best suited for individuals in small-to-medium businesses. The cost to purchase one license for LinkedIn Recruiter Lite is \$1678.88 per year for the year subscription or \$169.00 per month for a monthly subscription.

Member Kellogg made a motion to forward the LinkedIn Recruiter Lite option to the Finance & Budget committee meeting, second by Member Peterson. **With five members voting aye, the motion was carried by a vote of 5-0.**

- C. ***MOTION (VV) (Forward to CB 5/16/2023 Meeting):** Amendment to Insurance Benefits Policy set forth in Section 7.7 of the Kendall County Employee Handbook

Committee members were in favor of the revisions on the insurance benefits policy.

Member Peterson made a motion to forward to May 16th County Board meeting, second by Member Flowers. **With five members voting aye, the motion was carried by a vote of 5-0.**

- D. ***MOTION (VV) (Forward to CB 5/16/2023 Meeting):** Approval of new job descriptions for the following positions:

- a. Planning, Building & Zoning Department Director Job Description; and
- b. Administrative Services Department Intern Job Description; and
- c. Human Resources Department Intern Job Description.

Ms. Johnson informed committee members that the Planning, Building & Zoning Department hasn't had a director in many years.

Member Peterson made a motion to forward to May 16th County Board meeting, second by Member Bachmann. **With five members voting aye, the motion was carried by a vote of 5-0.**

- E. ***MOTION (VV) (Forward to CB 5/16/2023 Meeting):** Approval of revised job descriptions for the following positions:

- a. Economic Development Coordinator Job Description.
- b. Planning, Building, and Zoning Department Office Assistant (Part time) Job Description
- c. Planning, Building, and Zoning Department Code Official (Full-time) Job Description; and
- d. Planning, Building, and Zoning Department Code Official (Part time) Job Description.

Job descriptions a-d were updated to reflect the actual and current duties.

Member Kellogg made a motion to forward to May 16th County Board meeting, second by Member Bachmann. **With five members voting aye, the motion was carried by a vote of 5-0.**

- F. ***MOTION (VV) (Forward to CB 5/16/2023):** Revised Organizational Chart and Headcount for Kendall County Departments

Member Kellogg made a motion to forward to May 16th County Board meeting, second by Member Peterson. **With five members voting aye, the motion was carried by a vote of 5-0.**

- G. ***MOTION (VV) (Forward to CB 5/16/2023 Meeting):** Amendment No. 1 to Services Agreement between Meisrow Insurance Services, Inc. and Kendall County, Illinois effective October 1, 2023 through September 30, 2024 in an amount not to exceed \$49,000.00.

Member Kellogg made a motion to forward to May 16th County Board meeting, second by Member Flowers. **With five members voting aye, the motion was carried by a vote of 5-0.**

- H. ***MOTION (VV) (Forward to CB 5/16/2023 Meeting):** Fee Agreement between The Horton Group, Inc. and Kendall County, Illinois effective July 1, 2023 through June 30, 2024 in an amount not to exceed \$3,693/month with the option to extend for two additional years at 3% increase per year.

Ms. Johnson informed the committee that this agreement is currently in the process of negotiating legal terms.

Member Peterson made a motion to forward to May 16th County Board meeting, second by Member Bachmann. **With five members voting aye, the motion was carried by a vote of 5-0.**

- I. ***MOTION (VV) (Forward to CB 5/16/2023 Meeting):** Exit Interview Form
HR department created this form and will begin using it going forward.

Member Bachmann made a motion to forward to May 16th County Board meeting, second by Member Flowers. **With five members voting aye, the motion was carried by a vote of 5-0.**

- J. ***MOTION (VV) (Forward to CB 5/2/2023 Meeting): Resolution:** Honoring Asian Pacific Islander American Heritage Month

Member Peterson made a motion to forward to May 2nd County Board meeting, second by Member Flowers. **With five members voting aye, the motion was carried by a vote of 5 -0.**

- K. ***MOTION (VV) (Forward to CB 5/16/2023 Meeting):** Resolution Honoring Military Appreciation Month

Member Bachmann made a motion to forward to May 16th County Board meeting, second by Member Flowers. **With five members voting aye, the motion was carried by a vote of 5-0.**

- L. ***MOTION (VV) (Forward to CB 5/16/2023 Meeting):** Resolution Regarding Authorized Drivers Procedures

Member Flowers made a motion to forward to May 16th County Board meeting, second by Member Bachmann. **With five members voting aye, the motion was carried by a vote of 5-0.**

Old Committee Business –None

Chairman's Report – None

Public Comment – County Board Chair Kellogg requested that HR Department add in the next quarterly employee newsletter for employees to recommend anyone from the public to lead the pledge and to also help come up with a county motto or short mission statement. Also, staff is working on ordering County logo coins to hand out during special events.

Executive Session - None

Items for the Committee of the Whole Meeting – None

Action Items for County Board-

- **Forward to CB 5/2/2023 Meeting: Resolution:** Honoring Asian Pacific Islander American Heritage Month
- **Forward to CB 5/16/2023 Meeting:** Revised County Administrator Job Description
- **Forward to CB 5/16/2023 Meeting:** Amendment to Insurance Benefits Policy set forth in Section 7.7 of the Kendall County Employee Handbook
- **Forward to CB 5/16/2023 Meeting:** Approval of new job descriptions for the following positions:
 - Planning, Building & Zoning Department Director Job Description
 - Administrative Services Department Intern Job Description; and
 - Human Resources Department Intern Job Description
- **Forward to CB 5/16/2023 Meeting:** Approval of revised job descriptions for the following positions:
 - Economic Development Coordinator Job Description.
 - Planning, Building, and Zoning Department Office Assistant (Part time) Job Description
 - Planning, Building, and Zoning Department Code Official (Full-time) Job Description; and
 - Planning, Building, and Zoning Department Code Official (Part time) Job Description
- **Forward to CB 5/16/2023 Meeting:** Revised Organizational Chart and Headcount for Kendall County Departments
- **Forward to CB 5/16/2023 Meeting:** Amendment No. 1 to Services Agreement between Meisrow Insurance Services, Inc. and Kendall County, Illinois effective October 1, 2023 through September 30, 2024 in an amount not to exceed \$49,000.00.
- **Forward to CB 5/16/2023 Meeting:** Fee Agreement between The Horton Group, Inc. and Kendall County, Illinois effective July 1, 2023 through June 30, 2024 in an amount not to exceed \$3,693/month with the option to extend for two additional years at 3% increase per year
- **Forward to CB 5/16/2023 Meeting:** Exit Interview Form
- **Forward to CB 5/16/2023 Meeting:** Resolution Honoring Military Appreciation Month
- **Forward to CB 5/16/2023 Meeting:** Resolution Regarding Authorized Drivers Procedures

Adjournment – Member Kellogg made a motion to adjourn, second by Member Bachmann. **With members present in agreement, the meeting was adjourned at 6:32p.m.**

Respectfully submitted,
Nancy Villa
Executive Administrative Assistant

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

Rooms 209 and 210

111 W. Fox Street, Yorkville, Illinois

6:30 p.m.

Meeting Minutes of May 8, 2023 – Unofficial until Approved

CALL TO ORDER

The meeting was called to order by Chairman Wormley at 6:30 p.m.

ROLL CALL

Committee Members Present: Elizabeth Flowers, Dan Koukol, Ruben Rodriguez, Brooke Shanley (arrived at 6:32 p.m.), and Seth Wormley

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Jeff Sobotka, Mark Daniel, Brandon Diller, and Glenn Diller, Jr.

APPROVAL OF AGENDA

Member Koukol made a motion, seconded by Member Rodriguez, to approve the agenda as presented. With a voice vote of four (4) ayes, the motion carried.

APPROVAL OF MINUTES

Member Flowers made a motion, seconded by Member Rodriguez, to approve the minutes of the April 10, 2023, meeting. With a voice vote of four (4) ayes, the motion carried.

PUBLIC COMMENT

Jeff Sobotka, City of Plano, thanked the Committee, on behalf of Plano Mayor Rennels, the Plano City Council, and the residents of Plano, for passing Petition 23-12, regarding commercial solar and wind regulations as presently written.

Mark Daniel, Attorney for the Petitioners for Petitions 23-19 and 23-21, said that he was able to answer any questions the Committee may have regarding either Petition.

Member Shanley arrived at this time (6:32 p.m.).

EXPENDITURE REPORT

The Committee reviewed the expenditure report from April 2023.

PETITIONS

Petition 23 – 01 – Kendall County Planning, Building and Committee

Mr. Asselmeier summarized the request.

On July 21, 2009, the Kendall County Board granted a special use permit for a specialty gift store at 7275 Route 34, Oswego. Restriction 1 of the special use permit stated that the special use permit shall be inspected yearly. Ordinance 2009-25 was provided.

Per information found on Facebook, Jo Ric Gift and Home Décor operated at the subject property for several years, but a retirement sale occurred in 2020 and the business closed in January 2021. This information was provided.

The Planning, Building and Zoning Department attempted to conduct an inspection in August 2021 and the property was described as vacant. The email related to this inspection was provided.

In the summer of 2022, the Planning, Building and Zoning Department again attempted to conduct an inspection, but the property was vacant. Following this attempt, the Planning, Building and Zoning Department attempted to send letters to the property owner asking if they would like to revoke the special use permit. The covers of these letters were provided. The Planning, Building and Zoning Department did not receive any response to these letters.

In addition to the letters, a picture from Google from 2018 and a picture from Google from 2021 were also provided.

The property sold in November 2021.

At their meeting on January 9, 2023, the Planning, Building, and Zoning Committee voted to initiate the revocation of the special use permit. Following the January Planning, Building and Zoning Committee, Staff attempted again to contact the property, including placing a hearing sign on the property. The property owner originally verbally said they would evaluate their options and let the Department know which course of action they would take. Other than one (1) phone call in January 2023, the property owner has not initiated conversations with the Department. Emails with the property owner were provided. After the lack of communication from the property owner, Staff decided to exercise the authority granted by the Planning, Building and Zoning Committee to revoke the special use permit.

The subject properties are zoned R-3. If the special use permit is revoked, the properties will retain their R-3 zoning classification.

The Kendall County Zoning Board of Appeals held a public hearing on the proposal. An email from the Oswego Fire Protection District stating that the property had not been inspected as a business since August 2020 was read into the record. Nobody from the public testified at the public hearing. The Kendall County Zoning Board of Appeals recommended approval of the revocation of the special use permit by a vote of seven (7) in favor and zero (0) in opposition. The minutes of the hearing were provided.

The findings of fact were as follows:

In any case where a special use has not been established within two (2) years from the date of granting thereof, then, the County Board may revoke the special use, or if the special use has been discontinued for a continuous period of two (2) years, the County Board may revoke the special use. Based on the fact that the existing business closed in January 2021 and that no business has operated at the subject property since the previous business closed, the special use has been discontinued for a continuous period of two (2) years.

Staff recommended approval of the proposed special use permit revocation.

The draft ordinance was provided.

Member Koukol made motion, seconded by Member Flowers, to recommend approval of the revocation.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

The proposal goes to the County Board on May 16, 2023, on the consent agenda.

Petitions 23 – 05 Through 23-11 – Kendall County Planning, Building and Committee

Mr. Asselmeier summarized the requests.

For the past several months, Staff has been working with the codifiers to get all of the Kendall County's regulations into one (1) code. The codifiers recommended several changes to the Kendall County Zoning Ordinance and Subdivision Control Ordinance. During the review, Staff also identified several changes to these regulations. The codifiers recommended that these changes occur prior to adoption of the new code. Below please find the proposed changes:

1. Petition 23-05 Subdivision Control Ordinance-Appendix 7
Several phone numbers are listed in the Appendix. The accuracy of these phone numbers is unknown. Staff would like to list the organization only and not the phone numbers.
2. Petition 23-06 Subdivision Control Ordinance-Appendix 7
Greg Chismark and WBK Engineering are listed by name. Staff would like to have a general statement regarding stormwater engineering contact information.
3. Petition 23-07 Subdivision Control Ordinance-Appendix 9 A
In the Performance Criteria Section, there is a dead link to information about invasive species. Staff would like a general statement instead of a website link.

 Subdivision Control Ordinance-Appendix 9 B
In the Native Plan Resources Section, there are several dead links. Staff would like general references instead of website links.
4. Petition 23-08 Zoning Ordinance Section 3:02
The definitions of Brew Pub and Microbrewery should be amended to correspond to State law.
5. Petition 23-09 Zoning Ordinance Section 3:02
The definition of Tent should be expanded to include tents outside of campgrounds.
6. Petition 23-10 Zoning Ordinance Section 11:05.D.2
This section references a State law that does not exist.
7. Petition 23-11 Ordinance 1998-10

This Ordinance established procedures for closing inactive petitions. This Ordinance is outdated and now only applies to the Zoning Ordinance and Stormwater Management Ordinance. Staff is working with the State to incorporate the language in the Stormwater Ordinance; the Zoning Ordinance should be changed prior to adoption of the new code.

Redlined versions of the proposed changes were provided.

At their meeting on February 9, 2023, the Kendall County Planning, Building and Zoning Committee voted to initiate these amendments.

The proposals were emailed to the townships on February 23, 2023. To date, no comments have been received.

ZPAC met on the proposals on February 28, 2023, and recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed the proposals on March 22, 2023. Mr. Asselmeier explained the codification process. The phone numbers referenced in Petitions 23-05 and 23-06 would remain on the County's website. Greg Chismark and WBK Engineering were notified of Petition 23-06. Those entities that had special use permits for microbreweries and related brewery uses were notified of Petition 23-08. The entities that had special use permits for campgrounds and banquet facilities were notified of Petition 23-09. The entities that had special use permits for campgrounds were notified of Petition 23-10. The parties that had open special use permit applications from 2018 and 2022 were notified of Petition 23-11. The proposed definition of tent would not impact the permitting requirements contained in the Zoning Ordinance. The Kendall County Regional Planning Commission recommended approval of the proposals by a vote of eight (8) in favor and zero (0) in opposition and with two (2) members absent. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on the proposals on March 27, 2023. Nobody from the public testified at the public hearing. The Zoning Board of Appeals recommended approval of the proposal by a vote of six (6) in favor and zero (0) in opposition with one (1) member absent. The minutes of the hearing were provided.

The draft ordinances were provided.

Member Koukol made motion, seconded by Member Shanley, to recommend approval of the text amendments.

Member Koukol noted that these proposals were for the purposes of cleaning up the various ordinances.

The votes were as follows:

Yeas (5):	Flowers, Koukol, Rodriguez, Shanley, and Wormley
Nays (0):	None
Abstain (0):	None
Absent (0):	None

The motion carried.

The proposal goes to the County Board on May 16, 2023, on the consent agenda.

Petition 23 – 12 – Kendall County Planning, Building and Committee

Mr. Asselmeier summarized the request.

In January 2023, the Illinois General Assembly approved and the Governor signed House Bill 4412 pertaining to commercial wind and solar energy systems. The new law requires that the County update its solar and wind regulations by May 27, 2023, in order to be able to have regulations governing commercial solar energy facilities and commercial wind energy facilities.

The proposed amendments were provide. For reference, items in red are proposed changes and changes in bolded black are items that need to be discussed due to potential conflicts with State law.

General proposed changes are as follows:

1. Various definitions related to solar and wind energy facilities are proposed to be amended, added, and deleted. Many terms are defined in State law and were referenced as such. The definitions of solar farm and solar gardens were removed. The definitions of solar energy system, private and wind energy system, small were adjusted to reflect State law. Onsite consumption would include energy generated within a subdivision, planned development, or business park and consumed within the development.
2. Small wind energy systems would become permitted accessory uses. They would be added to the list of uses in the R-3 in addition to their existing allowance in the A-1, R-1, R-2, RPD, Business, and Manufacturing Districts. Solar energy system, private would become permitted uses in all zoning districts.
3. Commercial solar energy facilities, test solar energy systems, commercial energy wind facilities and test wind towers would become special uses in the A-1, R-1, RPD Districts, and Manufacturing Districts.
4. Adding a statement that the regulations do not apply to commercial wind energy facilities within one point five (1.5) miles of a municipality, unless the County has an Intergovernmental Agreement with the municipality to provide zoning services to the municipality. Staff added a requirement that solar and wind energy facilities within one point five (1.5) miles of a municipality must either annex to the municipality or enter into a pre-annexation agreement with the municipality using the Chatham annexation rules.
5. Add a requirement that the County Board shall make its decision on the application not more than thirty (30) days after the conclusion of the public hearing.
6. As proposed, the new setbacks would follow State law.
7. As proposed changes in setbacks, certain height requirements for solar, and fencing requirements would be allowed if nonparticipating property owners consent to these requirements. As proposed, the changes would be allowed to occur if documentation

was provided at the time of application submittal.

8. As proposed, sound regulations would follow State law.
9. As proposed, agricultural impact mitigation agreements have to be submitted with the application instead of prior to the hearing.
10. The County's landscaping requirements were adjusted to reflect the law.
11. Statements requiring compliance with EcoCat reports, Fish and Wildlife Service reports, and Illinois State Historic Preservation consultations were added to the Zoning Ordinance.
12. Statements regarding road use agreements were adjusted to reflect the law.
13. Language was added related to the enforcement of damaged drain systems.

The new law was provided.

A map showing the one point five (1.5) mile planning boundaries was provided.

At their meeting on February 9, 2023, the Kendall County Planning, Building and Zoning Committee voted to initiate these amendments.

The proposal was emailed to the townships on February 15, 2023. To date, no comments have been received.

ZPAC met on the proposals on February 28, 2023. Discussion occurred regarding wind and solar projects on Forest Preserve property; uses within the confines of the Downstate Forest Preserve Act are exempt from zoning. Discussion occurred regarding requiring properties to be annexed to municipalities; municipalities could choose to enter into annexation agreements without annexing the property. If a property owner was not agreeable to an annexation or annexation agreement, litigation could arise. Discussion occurred regarding some counties choosing not to regulate these uses or to have the uses as permitted uses because the county may not want to have zoning hearings that cannot alter a project. Discussion occurred regarding the precedence of the State taking away a county's zoning authority. The State's Attorney's Office has not reviewed the proposal. ZPAC voted to issue a neutral recommendation by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal on March 22, 2023. It was noted that the Illinois Farm Bureau was working on a proposal to restore some local control on these types of petitions. Greg Vander Kamp, Savion expressed concerns regarding the language related to vegetative screening and the requirement that properties either annex to municipalities or enter into annexation agreements. It was noted that the term "vegetative screening" was not defined and could be evaluated on a case-by-case basis. Discussion occurred regarding vegetative management plans. Discussion occurred regarding the timing of executing road use agreements; Mr. Vander Kamp felt such agreements should occur closer to construction. Dan Nagel asked about notification requirements to townships for proposals; townships have to be notified of special use applications per State law. Mr. Nagel also asked about bonding requirements; the language regarding agricultural impact mitigation agreements

was referenced. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of eight (8) in favor and zero (0) in opposition with two (2) members absent. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on March 27, 2023. Emma Tajchman, from Savion, expressed concerns about the vegetative screening requirement. It was again noted that screening would be handled on a case-by-case basis. She also expressed concerns regarding the annexation and pre-annexation requirement. It was noted that no township or municipality objected to that language. Dan Nagel asked how road districts would be notified of such projects. Townships were required to be notified of special use permit applications, per State law. Mr. Nagel also expressed concerns about such projects crossing drainage districts without permits; he requested that drainage districts be notified of such proposal. The Kendall County Zoning Board of Appeals recommended approval of the proposal with an amendment requiring Petitioners for commercial wind and commercial solar projects to notify the drainage district, if the property is in a drainage district, of the proposal by certified, return receipt mail and that proof of the mailing be submitted at the time of application by a vote of six (6) in favor and zero (0) in opposition with one (1) member absent. The minutes of the hearing were provided.

The draft ordinance was provided.

Member Flowers made motion, seconded by Member Rodriguez, to recommend approval of the text amendments.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

The proposal goes to the County Board on May 16, 2023, on the regular agenda.

Petition 23 – 13 – Kendall County Planning, Building and Committee

Mr. Asselmeier summarized the request.

In response to the special use permit amendments for the kennel at the northeast corner of Ridge and Bell Roads, Staff prepared the following proposed amendments to kennel regulations.

In summary, the proposed changes are as follows:

1. Allow pets outdoors until 10:00 p.m. for the purposes of allowing owners to pick-up and drop-off pets and to allow for normal bathroom breaks.
2. Establish uniform kennel regulations throughout the County.
3. Minor text alterations.

Redlined versions of the proposed changes were provided.

As of the date of this memo, there are six (6) active special use permits for kennels in the unincorporated area.

At their meeting on February 9, 2023, the Kendall County Planning, Building and Zoning Committee voted to initiate these amendments.

The proposals were emailed to the townships on February 23, 2023. To date, no comments have been received.

ZPAC met on the proposals on February 28, 2023. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal on March 22, 2023. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of eight (8) in favor and zero (0) in opposition with two (2) members absent. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on the proposal on March 27, 2023. No members of the public testified at the public hearing. The Kendall County Zoning Board of Appeals recommended approval of the proposal by a vote of six (6) in favor and zero (0) in opposition with one (1) member absent. The minutes of the hearing were provided.

The draft ordinance was provided.

Member Koukol made motion, seconded by Member Rodriguez, to recommend approval of the text amendments.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The proposal goes to the County Board on May 16, 2023, on the consent agenda.

Petitions 23 – 19 and 23 – 21 – Brent A. Stary and Tracy A. Stary on Behalf of MCB52, Inc. (Property Owner) and Roman Correa on Behalf of R&S Landscaping and Nursery, Inc. (Tenant)
Mr. Asselmeier summarized the request.

In October 2022, the Planning, Building and Zoning Department received a complaint regarding a landscaping business operating at 5022 Route 126 without a special use permit. In the intervening months, the property owner and business owner worked with an attorney and engineer to submit an application for a special use permit.

The Petitioners are seeking a special use permit for a landscaping business, including allowing outdoor storage of materials. They are also seeking variances to Section 4:05.B and Section 11:02.F.7 to allow outdoor parking and loading no closer than twenty-five feet (25') of the right-of-way line of Route 126 and to allow a portion of the accessible parking space to be no closer

than sixty-nine feet (69') of the south right-of-way line of Route 126; parking is not allowed within the front-yard setback. The Petitioners would like a variance to Section 11:02.F.4 to allow parking spaces with a depth of eighteen feet (18') with an overhang of two feet (2') instead of the twenty foot (20') depth requirement. Finally, they are seeking a variance to Section 4:09.A to allow the existing driveway on Grove Road to be less than twenty feet (20') in width until such time as the driveway is replaced.

The Petitioners also wish to use the existing house and existing accessory structures for their business. Some of these structures pre-date the adoption of the Kendall County Zoning Ordinance. The Petitioners are requesting a variance to Section 7:01.G.2.a to allow the existing house to be no closer than seventy-three feet (73') south of the right-of-way line of Route 126 instead of the required one hundred feet (100') and no closer than twenty-one feet (21') west of the right-of-way line of Grove Road instead of the required one hundred feet (100'). The Petitioners are also requesting a variance to Section 7:01.G.2.b to allow accessory structures no closer than fifty-seven feet (57') south of the right-of-way line of Route 126 instead of the required one hundred feet (100') and no closer than fifty-three feet (53') west of the right of the right-of-way line of Grove Road instead of the required one hundred feet (100'). These requests are part of a separate Petition (Petition 23-20).

Finally, the Petitioners wish to have the opportunity to use the home on the property to house an employee of the landscaping and nursery business. Accordingly, they request a conditional use permit for that purpose, which is a separate Petition (Petition 23-21).

Prior to the Kendall County Regional Planning Commission meeting, the Petitioners submitted a revised site plan. The site plan removed a large amount of the CA-7 and replaced it with gravel. The signs at the entrance to property at Route 126 were moved out of the right-of-way. The revised site plan was provided.

The application materials, stormwater information, existing conditions survey, original site plan, landscaping plan, and pictures of the property were provided.

The property is approximately two point nine (2.9) acres in size.

The County's plan called for the property to be Commercial. Yorkville's plan calls for the property to be Estate Residential.

Route 126 is a State maintained Arterial. Grove Road is a Major Collector maintained by the County.

Yorkville has a trail planned along Route 126 and Grove Road.

There are no floodplains or wetlands on the property.

The adjacent land uses are agricultural.

The adjacent properties are zoned A-1.

The County's plan calls for the area to be Commercial. Yorkville's Plan calls for the area to be Estate Residential and Agricultural. Oswego's Plan calls for the area to Agricultural.

The properties within one half (1/2) mile are zoned A-1, A-1 SU, and RPD-2.

Grove Road is the boundary line between the United City of Yorkville's and the Village of Oswego's planning areas.

The A-1 special use permits to the west are for a golf course.

A cemetery is located near the subject property to the south.

Approximately six (6) houses and the Whitetail Ridge Subdivision are located within one point five (1.5) miles of the subject property.

EcoCAT Report was submitted on February 22, 2023, and consultation was terminated.

The NRI Application was submitted on February 15, 2023. The LESA Score was 231 indicating a high level of protection. The NRI was provided.

Petition information was sent to Na-Au-Say Township on March 27, 2023. To date, no comments received.

Petition information was sent to the United City of Yorkville on March 27, 2023. To date, no comments received.

Petition information was sent to the Bristol Kendall Fire Protection District on March 27, 2023. To date, no comments received.

ZPAC reviewed this proposal at their meeting on April 4, 2023. Discussion occurred regarding the septic system at the property; the property would remain a single-family home, but would have an office component. The Health Department requested the Petitioners to work with the Health Department, should the use become more intense. Discussion also occurred regarding traffic circulation and the potential widening of nearby roads. No additional right-of-way was foreseen. ZPAC recommended approval of the proposal with the addition of a condition stating that, pending approval of the Illinois Department of Transportation, the owners of the business allowed by the special use permit shall have the option to install a right-in, right-out access off of Route 126; signage shown on the site plan may be adjusted to reflect this access by vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed the proposal at their meeting on April 26, 2023. The Petitioners were agreeable to the conditions. The current owners have owned the property for approximately five (5) years and the landscaping business has been operating at the property since October 2022. Discussion also occurred regarding the noise regulations, if a new house was constructed closer to the subject property. The Kendall County Regional Planning Commission recommended approval of the requested special use permit and variances with the conditions proposed by Staff with an amendment stating that only homes in existence prior to the issuance of the special use permit could file noise complaints by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on the proposal on May 1, 2023. The Petitioners' Attorney was the only person to testify at the public hearing. Discussion occurred regarding parking requirements and the possibility of additional right-of-way dedication for bike paths. The Kendall County Zoning Board of Appeals recommended approval of the requested special use permit and related variances with the conditions proposed by Staff with an amendment to add the phrase "or permitted" to the noise condition by a vote of seven (7) in favor and zero (0) in opposition. The minutes of the hearing were provided.

Per Section 7:01.D.30 of the Kendall County Zoning Ordinance, landscaping businesses can be special uses on A-1 zoned property subject to the following conditions:

1. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.
2. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.
3. No landscape waste generated off the property can be burned on this site.

If the County Board approves the outdoor storage of materials and variances, the above conditions have been met.

As noted in the project narrative, the Petitioners would like to operate R&S Landscaping and Nursery at the subject property. The existing home would be used as the office for the business and would possibly be used as a dwelling in the future for an employee. The northern most barn would be used as a tool shop and meeting space.

No retail activities related to the business would occur at the subject property.

The business would be open from 7:00 a.m. until 7:00 p.m. everyday throughout the year. The business has a maximum of seventeen (17) employees, during the busy season. The business hauls vegetation and other landscaping items from the property to work sites. Employees either report to the subject property or report directly to job sites. Equipment is parked either at the subject property or the job site.

The site plan (Attachment 4) shows seven (7) four foot (4') tall concrete block storage areas approximately five feet (5') from the western property line. These storage areas range from approximately one thousand seven ten (1,710) square feet in size to approximately five hundred ten (510) square feet in size. All of the storage areas are thirty feet (30') in depth. The storage areas will hold top soil, boulders, sand, mulch, gravel, landscape waste, and brush. No piles will be taller than six feet (6') in height. Areas for outdoor equipment storage are located east of an interior driveway. One (1) outdoor storage area for bricks is planned is also planned in this area.

In addition to the landscaping component, the Petitioners will have a nursery with two (2) membrane flower storage areas and areas for growing trees, bushes, and flowers. The nursery area will be located south of the gravel driveway.

One (1) one point five (1.5) story, approximately one thousand three hundred ninety-two (1,392) square foot house, is located on the property. There is one (1) approximately five hundred fifty (550) square foot detached garage, one (1) approximately one thousand seventy (1,070) square foot accessory building (labeled as machine tool shop, storage, breakroom and meeting room on the site plan), one approximately seven hundred (700) square foot chicken coop, and one (1)

approximately three eight hundred sixty (3,680) square foot accessory building (labeled as equipment storage on the site plan). Two (2) silos are also located on the property.

Any structures related to the landscaping business would be required to obtain applicable building permits, including changes in occupancy.

The property is served by a well and septic. Employees would use these facilities, if at the property. Since no retail sales would occur at the property, few, if any, guests of the business would be on the property to use restroom facilities.

The property has a propane tank, which will be protected by bollards.

No dedicated refuse area for non-landscape related waste was shown on the site plan. Garbage would be removed using a commercial hauler.

The property drains to the west and south.

The Petitioners submitted an application for a stormwater management permit. WBK Engineering submitted comments on the stormwater management permit application, which were provided. To date, WBK Engineering has not commented on the new calculations.

Per the site plan, the Petitioners' propose to make the driveway off of Grove Road as the main access point. This driveway is approximately seven feet (7') wide. The Petitioners propose to widen the driveway to approximately fifteen feet (15') in width. The driveway expands to twenty-four feet (24') in width west of the propane tank. The Petitioners are pursuing a variance related to this driveway.

The property also has access from Route 126.

The Illinois Department of Transportation submitted an email on March 31, 2023. The Petitioners agreed to keep IDOT informed of the activities at the property and IDOT said they would evaluate the existing access permit, if necessary, in the future. This email was provided.

According to the site plan, the Petitioners propose nine (9) parking spaces south of the brick storage and equipment storage area along the southern driveway. One (1) handicapped accessible parking space is proposed north of the existing garage.

The southern driveway would be gravel and would be twenty-four feet (24') in width.

One (1) north-south twenty foot (20') wide driveway would be located between the storage areas and stockpiles and a second fifteen foot (15') wide east-west driveway would be located between the two (2) equipment storage and truck parking area. These drives would be gravel.

One (1) twenty-four foot (24') wide gravel driveway would run from the southern driveway to the handicapped parking space.

The driveway north of the handicapped parking space to Route 126 would be asphalt.

The existing conditions survey and the site plan show five (5) lights attached to the middle portions of buildings, two (2) lights at building corners, and one (1) new eighteen foot (18') tall wall mounted light. These lights are considered necessary for security reasons. The sign at the

northeast corner of the property would also be illuminated from 6:00 a.m. until 11:00 p.m. as allowed by the Zoning Ordinance.

According to the site plan, the Petitioners propose to install one (1) thirty-two (32) square foot wooden sign near the northeast corner of the property. The sign would be illuminated as detailed previously.

Two (2) proposed “Do Not Enter” signs are proposed at the driveway on Route 126. One (1) “No Left Turn” sign is proposed in the same area. These signs might be removed or altered if right-in, right-out access is granted at this entrance.

Other than lighting, no other security information was provided.

The site plan and landscaping plan show twenty-six (26) black hill spruce trees and ten (10) emerald green arborvitae near the north property line. The spruce trees are approximately seven (7') feet in height and the arborvitae are approximately twelve (12') feet in height. There are twenty-eight (28) white pines and twenty-one (21) arborvitae at the southeast corner of the property. The white pines are approximately ten feet (10') in height and the arborvitae are approximately twelve (12') feet in height. Several other plantings are scattered throughout the site, including landscaping around the sign at the northeast corner of the property.

On the landscaping plan the Petitioners noted the existing row of trees located to the west of the subject property. The Petitioners are agreeable to planting trees on the subject property if the trees on the adjoining property are removed.

No information was provided regarding noise control.

No information was provided regarding odor control.

If approved, this would be the nineteenth (19th) special use permit for a landscaping business in unincorporated Kendall County.

The Findings of Fact for the special use permit were as follows:

The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. Petitioners plan to preserve existing buildings and the existing sign on the north accessory building. Areas surrounding the property are zoned and used for agricultural purposes. Petitioners plan for drainage and will maintain the existing direction, rate and volume of stormwater flowing in the handful of directions noted in the elevations submitted within the application. Petitioners will reduce use of the Route 126 driveway from full access to emergency right-out only use. The main entrance is sufficiently south of Route 126 and there is ample stacking to make a safe left turn into the main driveway without obstructing left turns from Grove Road onto Route 126. Most of the variances requested relate to existing conditions. The location of the parking, loading and storage yard in the west half of the property relates to the circumstance that all existing buildings are centralized. The avoidance of paving for parking and loading and the loading space variation are the only new development needs for relief from the Zoning Ordinance.

The special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair

property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use makes adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The subject property is in a large A-1 Agricultural District. Growing of trees, shrubs and flowers is a form of agricultural use. Growing is one part of the use proposed in the application. The use will not impede farms on the four adjacent and opposing sides of the Property. The use is deemed legislatively compatible because it meets all of the requirements contained in the Zoning Ordinance for landscaping businesses, if permission is granted for outdoor storage of materials. The use at the subject property will meet several purposes for the A-1 district as outlined in Section 7:01.A of the Zoning Ordinance, including the preservation of fertile, tillable soils as a valuable natural resource by recharging soils and groundwater, by respecting grades and by engaging in a mix of soil planting and planting in potters, all the while re-using an existing residential home and outbuildings that have long existed. Reasonable restrictions, including hours of operation, maximum number of employees at the property, noise regulations, and lighting requirements are proposed that will protect the enjoyment and use of other properties in the vicinity.

Adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Restrictions can be placed in the special use permit to address the number of people on the property. No retail customers will be on the property. As such, there are sufficient utilities on the property to handle the proposed uses. The intersection abutting the northeast corner of the Property is sufficiently designed with ample left turn stacking and a stop sign control for traffic crossing Route 126. The existing driveways are sufficiently connected to Grove Road (main driveway) and Route 126 (emergency limited access). Drainage on the property flows in three directions, with most stormwater eventually flowing south down a change in grade of roughly five feet (5'). Petitioners have restored a tile and respected drainage rights under the Illinois Drainage Code in the present placement of cement blocks to allow for the passage of stormwater in the one (1) area of the Property where it flows west and to avoid redirecting stormwater other than to the south. Otherwise, stormwater flows into the culverts along roadways. A stormwater management permit will be secured.

The special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. Petitioners provided an A-1 Agricultural District Table of Compliance addressing all elements of zoning compliance. Variations are necessary, but these variations are primarily related to preservation of existing buildings, structures, and improvements. New relief related to the loading and storage yard places this activity in an area where there was prior activity west of the smaller barn. The use area will benefit from a continuous screen of trees that have already been planted at a substantial height.

The special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The use involves a commercial operation recognized as the use that will prevail at the property under the Land Resource Management Plan. The proposal is also consistent with a goal and objective found on page 10-11 of the Land Resource Management Plan, "A strong base of agriculture,

commercial and industry that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents.” “. . . encourage additional agriculture and agribusiness.”

The Findings of Fact for the variance to allow yard obstructions and parking areas in the setbacks were as follows:

The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The topography and stormwater flow runs west or south. Substantially all of the property south of the driveway from Grove Road is a flow route for storm volume. In attempting to avoid placement of the loading and storage yard away from the intersection and away from Grove Road, the drainage concerns and the loss of benefits of filtration and ground water recharging played a significant role in determining not to locate this yard south of its proposed location. With respect to the location of the existing garage, it is situated behind the house where such a garage would ordinarily exist, but the house was constructed one hundred (100) or more years ago before the expansion of the abutting roadways and the adoption of zoning regulations pertaining to the setback issue. The interior drive has existed for decades and the most logical location for an accessible parking stall is adjacent to the two buildings where an accessible space can be of benefit. The design of the space leaves all but roughly four feet of the space outside of the setback. These circumstances drive a finding in favor of the variations.

The conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Due to the varying topography throughout the County and the circumstance that the property is a corner lot that was improved before 1922, it cannot be said that the concern causing the difficulty and hardship generally prevails in the A-1 Agriculture District.

The alleged difficulty or hardship has not been created by any person presently having an interest in the property. The only new element relates to the parking, loading and storage area. Since the 1920's, the area near Route 126 has been higher land. This is evident in aerial photographs of the topography of the area. Moreover, the use area to be occupied by the parking and loading area is similar to the use area that existed from at least the early 1980's until 2006. Petitioners do not propose the loading and storage area adjacent to the lot line, but plans for it at a distance of fifteen feet (15') from the right-of-way, but in the same area that has the historically higher elevation and the historical use. In plain terms, Petitioners are not the first to recognize this higher elevation and they did not create it any more than they created the grades, slopes and swales south of the barns that cause the area south of the driveway to be incapable of hosting the loading and storage area without presenting a visual obstruction, placing impermeable or less permeable surface over land that is saturated and helps to recharge groundwater while also filtering stormwater.

The granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. Petitioners propose that none of the outdoor use should be plainly visible to passersby due to the screening.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of

fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. One (1) basis for the proposed location of the loading and storage yard is that it avoids placing the area in plain view. The yard will not create shadows or obstruct the flow of air. The yard itself does not contribute to traffic. In fact, it reduces traffic by avoiding excess trips Petitioners would make if they were required to store and load materials elsewhere. The conditions on the special use above also touch on changes to be made if the treeline west of the property no longer exists.

The Findings of Fact for the variance for parking stall depth were as follows:

The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The topography of the Property and water concerns led to an effort to avoid as much impervious surface as possible. The request for an adjustment in the parking lot design to allow for the same twenty foot (20') parking space, but with a two foot (2') overhang, and an eighteen foot (18') space from tire to tail of a vehicle, is a di minimus request, but it avoids an extra several hundred feet of pervious surface in an area of storm flow, filtering and recharging.

The conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. While applicable to several properties, this concern is not generally applicable to the A-1 district. The original parcel containing the property was a long, narrow farmstead that extended to the cemetery. Through various transactions, including estate and probate matters, the property was divided so that it became a roughly square lot with the southern one hundred eighty feet (180') being an area of significant surface and subgrade flow during rain events and wet seasons.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. Certainly, parking can be relocated. Nine (9) parking spaces for the use is also more than needed. Petitioners' preference for parking along the south side of the large barn may be personal. However, Petitioners could have placed these on the south side of the driveway and reduced the area of soil that would accept water for filtration and recharging purposes. In planning for this use and similar uses, there is a general design principal that consolidation of buildings, parking and loading is best for the use and for passersby as well as eventual neighbors.

The granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The requested variation has absolutely no impact on public welfare or on property and improvements in this vicinity.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. Petitioners are providing more parking than is necessary for the use. However, the provision of more parking does not conclusively lead to substantial increases in congestion since we are dealing with parking for only a few vehicles above that which is necessary. Parking on the north line of the interior drive will consolidate activity and also allow vehicles to park in a line where they will not be as noticeable to traffic on either abutting street. The variation should impact property values in any manner.

The Findings of Fact for the variance to the Grove Road driveway construction were as follows:

The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The driveway has been in existence for a number of years and could be utilized by other agricultural uses on the property. Having the primary access off of Grove Road instead of Route 126 ensures that employees of the proposed use will not cause increase traffic congestion on Route 126 because the business deliveries will utilize the Grove Road access.

The conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Other properties zoned A-1 that were in existence prior to Kendall County adopting zoning in 1940 could have similar issues. The exact number of properties with lawfully non-conforming driveways is unknown.

The alleged difficulty or hardship has not been created by any person presently having an interest in the property. Petitioners did not construct the subject driveway.

The granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The maintenance of the driveway as proposed will not harm public welfare. No retail is planned for the site. Therefore, no large increase in the amount of vehicles entering and exiting the property on Grove Road is anticipated.

The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. The variance will not cause congestion or endanger public safety because little additional traffic is anticipated at the property. There should be no risk of fire and property values will not be impacted if the variance is granted.

Staff recommended approval of the requested special use permit and variances subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the site plan and landscaping plan.
2. Pending approval of the Illinois Department of Transportation, the owners of the business allowed by the special use permit shall have the option to install a right-in, right-out access off of Route 126; signage shown on the site plan (Attachment 4) may be adjusted to reflect this access. (Added at ZPAC)
3. A variance to Section 4:05.B and Section 11:02.F.7 of Kendall County Zoning Ordinance shall be granted to allow outdoor parking and loading no closer than twenty-five feet (25') of the right-of-way line of Route 126 and to allow a portion of the accessible parking space to be no closer than sixty-nine feet (69') of the south right-of-way line of Route 126. (Clarified After ZPAC)
4. A variance to Section 11:02.F.4 of the Kendall County Zoning Ordinance shall be granted to allow parking spaces with a depth of eighteen feet (18') with an overhang of two feet (2').
5. A variance to Section 4:09.A of the Kendall County Zoning Ordinance shall be

- granted to allow the existing driveway on Grove Road to be less than twenty feet (20') in width until such time as the driveway is replaced.
6. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.
 7. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
 8. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
 9. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
 10. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the site plan. The maximum height of the piles of landscaping related material shall be six feet (6') in height.
 11. No retail sale of landscaping materials may occur at the subject property.
 12. A maximum of seventeen (17) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.
 13. The hours of operation of the business allowed by this special use permit shall be daily from 7:00 a.m. until 7:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.
 14. Any structures constructed, installed, or used related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.
 15. Signage shall be limited to the signs shown on the site plan. Signage may be illuminated as outlined on the site plan. Signs within rights-of-way may be relocated to another location on the property if requested by the Illinois Department of Transportation without the need to amend this special use permit. Religious signs in existence on the property at the time of application submittal shall be exempt from permitting requirements.
 16. Except for the lighting around the business sign, the lights shown on the site plan shall be considered for security purposes.
 17. Damaged or dead plantings described on the landscaping plan shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
 18. Any vegetation described on the landscaping plan that has not been installed by the

approval date of this special use permit shall be installed within ninety (90) days of the approval of the special use permit. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the vegetation.

19. The owner of the subject property shall plant trees to fill in the gaps on the western property line as outlined in the landscaping plan. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to plant the screening. The site plan may be adjusted without an amendment to the special use permit to reflect the addition of these trees.
20. Vegetation related to the operations of a nursery on the property shall be exempted from the planting and vegetation maintenance requirements of this special use permit.
21. No landscape waste generated off the property can be burned on the subject property.
22. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

Only those homes in existence or permitted prior to the issuance of the special use permit can file noise complaints. (Added at RPC) (Amended at ZBA)

23. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.
24. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
25. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
26. Failure to comply with one or more of the above conditions or restrictions could result

in the amendment or revocation of the special use permit.

27. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

28. This special use permit and variances shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special use conducted on the property.

The draft ordinance was provided.

Staff recommended approval of the requested conditional use permit subject to the following conditions and restrictions:

1. The use shall be used in connection with an agricultural purpose as defined in State Statute 55 ILCS 5/5-12001 as here after amended.
2. The use shall meet all requirements of the Kendall County Health Department.
3. The use shall be used for agricultural labor housing or living quarters for a groomsmen, an employee watchman and their immediate family.
4. The use shall meet all required setbacks and minimum lot size, providing applicable variances are granted.
5. The property owner and residents of the use allowed by this conditional use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of use.
6. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the conditional use permit.
7. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
8. This conditional use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same uses conducted on the property.

The draft, unsigned conditional use permit was provided.

Member Koukol asked why the conditional use permit was a separate Petition and what is the difference between agricultural labor housing and generally renting the property to anyone. Mr. Asselmeier responded that, by having a conditional use permit, there would be no question regarding who could live at the property. The two (2) Petitions were separate because, if the special use permit for the landscaping business ever went away, the conditional use permit for agricultural labor housing would remain.

Member Koukol asked why the Petitioner did not secure proper zoning prior to starting operations. Member Koukol noted the property looked good. Mr. Daniel responded that the Petitioner stopped operating the landscaping business and secured legal representation upon finding out that necessary zoning permits would be required. Mr. Daniel represented both the property owner and tenant.

It was noted that most of the work done by the landscaping business would be at new construction sites and the business would not have a retail component.

Member Rodriguez made motion, seconded by Member Shanley, to recommend approval of the special use permit and variances.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

The proposal goes to the County Board on May 16, 2023, on the regular agenda.

Member Flowers made motion, seconded by Member Rodriguez, to approve the conditional use permit.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

NEW BUSINESS

Approval of a Request from Lydia Ramirez to Extend the Deadline for Installing the Required Vegetation as Required by Condition 2.B of Ordinance 2022-26 at the Property Located in the 5100 Block of Schlapp Road (PIN: 03-34-100-027) in Oswego Township

Mr. Asselmeier summarized the issue.

On September 20, 2022, the Kendall County Board approved a major amendment to an existing special use permit for a banquet facility in the 5100 Block of Schlapp Road by Ordinance 2022-26.

Condition 2.B of Ordinance 2022-26 required the installation of the required vegetation be complete by June 1, 2023. This condition also gave the Planning, Building and Zoning Committee the option of extending the deadline, if requested by the property owner or the owner of the business allowed by the special use permit. Ordinance 2022-26 is provided.

On April 19, 2023, Lydia Ramirez submitted the attached email requesting an extension to the deadline for planting the required vegetation to October 2024 because of issues related to a back order of a transformer.

The Petitioner would not be able to start operations until the required vegetation is planted.

Staff has no objections to the requested extension.

Member Shanley made motion, seconded by Member Flowers, to approve the extension to October 1, 2024.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

Approval of a Request by Robert Velazquez for an Extension to the Requirement to Install Landscaping, Fencing, and Buildings as Required by Conditions 2.B and 2.J of Ordinance 2021-23 at 10744 Route 47 (PIN: 05-28-400-002) in Kendall Township

Mr. Asselmeier summarized the issue.

Condition 2.J of Ordinance 2021-23, which granted a special use permit for a landscaping business at the subject property, originally required the landscaping to be installed by June 1, 2022. The Ordinance also allows the Planning, Building and Zoning Committee to grant extensions to the installation deadline.

On May 9, 2022, the Committee extended the deadline for this requirement to October 1, 2022. On September 12, 2022, the Committee again extended the deadline for this requirement to June 1, 2023.

Condition 2.B of Ordinance 2021-23 also originally required all structures shown on the site plan to be constructed and occupied by December 31, 2022. The Ordinance also allows the Planning, Building and Zoning Committee to grant extensions to the installation deadline. On September 12, 2022, the Committee extended the deadline for this requirement to June 1, 2023.

A copy of Ordinance 2021-23 was provided.

On May 2, 2023, the Petitioner's Attorney submitted a request asking that the deadline to install the landscaping and the requirements related to the buildings be extended to November 15, 2023. A copy of the request was provided.

Chairman Wormley explained the history of the project and challenges the property owner was facing with the Illinois Department of Transportation. He discussed potential amendments to the special use permit. He favored a longer extension; up to June 1, 2024.

Member Koukol did not believe that the State had settled with the property owner.

Member Rodriguez suggested waiving the County's fees, if an amendment to the special use permit is required.

Member Koukol made motion, seconded by Member Flowers, to approve the extension to June 1, 2024, and to re-examine the extension in May 2024 to see if additional extensions are required.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

Recommendation on Annual Facility Inspection Report for NPDES Permit for Stormwater Discharges from Separate Storm Sewer Systems (MS4)

Mr. Asselmeier summarized the request.

Kendall County is required to submit certain documents annually by June 1st as required by its NPDES Permit.

The proposed Annual Report was provided.

The 2023 Annual Report is similar to the 2022 Annual Report.

There is a One Thousand Dollar (\$1,000) submittal fee, which has been unchanged for several years.

Member Shanley made motion, seconded by Member Flowers, to recommend approval of the Annual Report.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

The proposal goes to the County Board on May 16, 2023, on the **consent** agenda.

OLD BUSINESS

Special Use Permit Enforcement Update

Mr. Asselmeier reported the following:

1. Ordinance 2009-25-Special Use Permit for a Specialty Gift Store at 7275 Route 34
Issue: Condition 1 requires an annual inspection. During site visits in 2021 and 2022 the business appeared to have ceased. Efforts to contact the property owner to see if they would like to retain the special use permit have been unsuccessful.
How Department Became Aware of Potential Violation: Annual Inspection

Current Status: Hearing to involuntary revoke the special use permit held scheduled on May 1, 2023.

2. Ordinance 1987-25-Special Use Permit for a Church Camp at 1626 Route 31 (Camp Quarryledge)
Issue: Various conditions require the use to be connected to a church camp use, including the name "Camp Quarryledge".
How Department Became Aware of Potential Violation: Contacts from Potential Buyers of the Property
Current Status: Property is pending annexation to the Village of Oswego as a health camp/education center; annexation likely will be complete in May or June 2023.
3. Ordinance 2005-37-Special Use Permit for a Landscaping Business at 5681 Whitewillow Rd
Issue: Condition 6 requires a right-of-way dedication
How Department Became Aware of Violation: Property owner submitted a special use permit for a craft fair.
Current Status: Dedications signed on May 1, 2023. Staff is waiting for them to be recorded.
4. Ordinance 2014-04-Special Use Permit for a Compost Facility at 1270 E. Beecher Road
Issue: Condition 8 requires property owner to reapply for special use permit prior July 1, 2023, or the special use permit shall be revoked on December 1, 2023.
How Department Became Aware of Violation: Not presently a violation.
Current Status: Property owner plans to renew special use permit. Property owner is also exploring having solar panels on the property; may annex to Yorkville.
5. Ordinance 2021-17-Special Use Permit for a Billboard at Southeast Corner of Route 34 and Hafenrichter
Issue: Condition 2.C requires a renewal of the special use permit by August 17, 2023.
How Department Became Aware of Violation: Not presently a violation.
Current Status: Billboard company emailed on May 1, 2023.

Update of Stormwater Management Ordinance Violation at 8150 Schlapp Road (PIN: 06-15-100-007)

Mr. Asselmeier provided updated pictures of the property. It was noted that additional dirt or manure was hauled onto the property. Tebrugge Engineering was waiting on information from the property owner regarding the final layout of the site in order to prepare calculations and price quote.

Glenn Diller, Jr. said that he was waiting for a response from the engineer.

Discussion occurred regarding the location of the berm.

Discussion occurred regarding new product placed at the site.

Chairman Wormley encouraged Mr. Diller to work harder to get into compliance.

Mr. Asselmeier explained the violation at the property; placing dirt three feet (3') in height without a permit.

The consensus of the Committee was to give the Dillers until August 7, 2023, to get the necessary permit and no additional dirt can be placed on the property. If additional dirt is placed on the property, the violation will be issued.

REVIEW VIOLATION REPORT

The Committee reviewed the violation report.

REVIEW PRE-VIOLATION REPORT

The Committee reviewed the report.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

Mr. Asselmeier reported that two (2) awards will be presented at the May 16, 2023, County Board meeting. The Commission was also working on the logistics for the summer group meeting. The Commission was also examining which townships would be selected for the next structure surveys.

REVIEW PERMIT REPORT

The Committee reviewed the report.

REVIEW REVENUE REPORT

The Committee reviewed the report.

Discussion occurred regarding the proposed text amendment pertaining to residential chickens and the other open, active Petitions.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

None

ADJOURNMENT

Member Flowers made a motion, seconded by Member Shanley, to adjourn. With a voice vote of five (5) ayes, the motion carried.

Chairman Wormley adjourned the meeting at 7:55 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, CFM Senior Planner

Enc.

COUNTY OF KENDALL, ILLINOIS
BUDGET & FINANCE COMMITTEE
Meeting Minutes for Thursday, April 20, 2023

Call to Order – Committee Chair Scott Gengler called the Budget and Finance Committee to order 4:00 p.m.

Roll Call

Attendee	Status	Arrived	Left Meeting
Scott Gengler (Chair)	Here		
Brian DeBolt	absent		
Matt Kellogg	Here		
Seth Wormley	Here		
Jason Peterson	absent		

Others Present – Jennifer Karales, Scott Koeppel, Leslie Johnson

Approval of Agenda – Member Kellogg made a motion to approve the agenda, second by Member Wormley. **With three (3) members present voting aye, the motion carried by a vote of 3-0.**

Committee Reports and Updates – None

New Committee Business

A. **Approval of Budget Revision to increase Human Resources Generalist Position from one to two.** Human Resources Director Leslie Johnson led the discussion about the need for an additional Human Resources Generalist for the HR department. They discussed the possibility of expanded services in HR and the salary for the position. The HR Generalist can assist with any and all functions of the HR department, including payroll and benefits, support in onboarding and off boarding, and risk management. There is a job description for this position in place.

Member Kellogg made a motion to forward to the next County Board meeting the Approval of Budget Revision to increase Human Resources Generalist Position from one to two with a starting salary of \$55,000, second by Member Wormley. **With three (3) members present voting aye, the motion carried 3-0.**

B. **SENIOR LEVY PRESENTATION**

- a. **VNA Health Care Clinic** - Crystal Phillips VNA Health Care Liaison for Special Events and Erin Weldon, Philanthropy and Communications Associate presented to the board

their application for the senior levy. She gave a brief history of VNA Health Care, they currently have five hundred employees at thirteen locations, they made 210,000 visits last year, and are 50% grant funded. Anticipating for this coming year in Kendall County to service five hundred fifty seniors (550) providing in-home services.

- b. Fox Valley Older Adult Services – Executive Director Suzanne Kinsey gave a presentation to the committee highlighting the services they provide to seniors in Kendall County. They provide meals through the senior luncheon program, active senior programs, and adult day center. They encourage participation in community life and improve independent living and connect seniors to important services.
- c. Community Nutrition Network & Senior Services Association – Manager Louise Maritato explained their main mission is to provide meals and resources to older adults and persons with disabilities and assist them in leading active healthy lives. Meals on Wheels provides approximately 130 seniors in-home meals Monday through Friday. Most grant money goes for the cost of food and transportation. They also started a partnership program (Dine Around Town) with a local restaurant to provide a balanced healthy meal at the set price of \$6/meal.
- d. Prairie State Legal Services - Staff Attorney Kathleen Finn and Grant Manager Marge Askin explained that their mission is to provide civil legal aid services and representation to low-income, elderly, and vulnerable people in Kendall County. They use money from Kendall County as a match to receive other funding and this adds about 25% more funding.
- e. Oswegoland Seniors Inc. – Executive Director Michelle Bergeron gave a brief presentation on the services they provide to the senior community. The new senior center is now open in the old police station in Oswego, they provide educational, recreational, and social programs. Questions from the committee centered around the purchase and on-going loan costs for the building and what other entities they plan to ask for funding. Michelle explained that they did hire a contracted grant writer, working on a capital campaign, and renting out space in the building.
- f. Senior Services Associates – Executive Director Micki Miller and Associate Director Franklin Ramirez gave a brief presentation on the services provided by the Senior Services Associates. One care coordination for each county in the state, this organization is the hub for Kendall County and all senior service assessments come to them and they access and refer out to the other senior services. They serve the entire county, and their employees go into the homes assessing that the seniors' basic needs are being met. They also provide advocacy for adults in long-term facilities.

- C. **DISCUSSION:** Review and Discussion of Senior Tax Levy Recommendation for Senior Levy Discussion – The committee discussed the various presentations and the amount requested by each organization. Jennifer Karales instructed the committee that for FY23 \$363,000 is available and the total of the current requests is \$404,000. The committee has worked on a rough draft but would like to continue the discussion and finalize the senior levy budget at the next Finance and Budget meeting on April 27, 2023.

Old Committee Business – None

Public Comment – None

Executive Session – None

Items for Committee of the Whole - None

Action Items for the County Board

- Forward to the next County Board meeting the Approval of Budget Revision to increase Human Resources Generalist Position from one to two with a salary range of \$55,000 to \$65,000.

Adjournment – Member Kellogg made a motion to adjourn the Budget and Finance Committee meeting, second by Member Wormley. **With three (3) members present voting aye, the meeting was adjourned at 5:26 p.m. by a vote of 3-0.**

Respectfully submitted,

Sally A. Seeger
Administrative Assistant and Recording Clerk



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: May 8, 2023

Amount: N/A

Budget: N/A

Issue: Petition 23-01 Request from the Kendall County Planning, Building and Zoning Committee for the Involuntary Revocation of a Special Use Permit for a Specialty Gift Store Granted by Ordinance 2009-25 at 7275 Route 34, Oswego (PIN: 02-14-452-005) in Seward Township; Property is Zoned R-3 with a Special Use Permit

Background and Discussion:

The business allowed by this special use permit appears to have ceased. Required inspections have not occurred since 2020. The property owner has not responded to either allow the County to conduct the required inspection or to voluntarily revoke the special use permit.

The record for the Petition can be found here,
<https://www.kendallcountyil.gov/home/showpublisheddocument/26772/638187886884183942>.

The draft ordinance is attached.

Committee Action:

ZBA-Approval (7-0), Oswego Fire Protection District-Was told that the property was residential and no inspections since August 2020; PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: May 9, 2023

ORDINANCE NUMBER 2023-_____

**REVOKING A SPECIAL USE PERMIT FOR A SPECIALTY GIFT STORE GRANTED BY
ORDINANCE 2009-25 AT 7275 ROUTE 34 PARCEL IDENTIFICATIN NUMBER 02-14-452-005
IN BRISTOL TOWNSHIP**

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, Section 13:08.F of the Kendall County Zoning Ordinance permits the Kendall County Board to revoke special use permits if the special use has not been in operation for two continuous years and provides a procedure through which special use permits are revoked; and

WHEREAS, the property which are the subject of this Ordinance has been, at all relevant times, and remains currently located within the R-3 One-Family Residential Zoning District and consists of the property identified by Parcel Identification Number 02-14-452-005 and addressed as 7275 Route 34, Oswego in Bristol Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property”; and

WHEREAS, Janell Collier petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the operation of a specialty gift store on the subject property in 2009; and

WHEREAS, the Kendall County Board granted a special use permit through Ordinance 2009-25 at the subject property on July 21, 2009 for the operation of a specialty store; and

WHEREAS, Condition #1 of Ordinance 2009-25 requires that the special use permit be subject to annual inspections; and

WHEREAS, the business operating at the subject property closed on or about January 1, 2021; and

WHEREAS, on or about November 2021, Luis D. Hernandez and Claudia Menendez Del Valle purchased the subject property; and

WHEREAS, on January 9, 2023, the Kendall County Planning, Building and Zoning Committee voted to initiate the revocation of the special use permit for a specialty gift store on the subject property and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on April 6, 2023, the Kendall County Zoning Board of Appeals conducted a public hearing on May 1, 2023, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested special use permit revocation and zero members of the public testified in favor or in opposition; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the revocation of the special use permit for a specialty gift store at the subject property as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated May 1, 2023, a true and correct copy of which is attached

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested revocation of a special use permit for a specialty gift store at the subject property; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby revokes the special use permit for a specialty gift store and related sign variance granted by Ordinance 2009-25.
3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted by Ordinance 2009-25.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of May, 2023.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg

Exhibit A

Lot 118 of Lynwood Subdivision, Extension 6, in the Township of Bristol, in Kendall County,
Illinois

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on May 1, 2023, by a vote of seven (7) in favor and zero (0) in opposition:

FINDINGS OF FACT

*In any case where a special use has not been established within two (2) years from the date of granting thereof, then, the County Board may revoke the special use, or if the special use has been discontinued for a continuous period of two (2) years, the County Board may revoke the special use. **Based on the fact that the existing business closed in January 2021 and that no business has operated at the subject property since the previous business closed, the special use has been discontinued for a continuous period of two (2) years.***

RECOMMENDATION

Approval



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: May 8, 2023

Amount: N/A

Budget: N/A

Issue: Petition 23-05 Request from the Kendall County Planning, Building and Zoning Committee for Text Amendments to Appendix 7 of the Kendall County Subdivision Control Ordinance by Removing Phone Numbers and Related Text Adjustments

Background and Discussion:

For the past several months, Staff has been working with the codifiers to get all of the Kendall County's regulations into one (1) code. The codifiers recommended several changes to the Kendall County Zoning Ordinance and Subdivision Control Ordinance. During the review, Staff also identified several changes to these regulations. The codifiers recommended that these changes occur prior to adoption of the new code.

Subdivision Control Ordinance-Appendix 7

Several phone numbers are listed in the Appendix. The accuracy of these phone numbers is unknown. Staff would like to list the organization only and not the phone numbers.

The record for the Petition can be found here,
<https://www.kendallcountyil.gov/home/showpublisheddocument/26287/638186256086295492>

The draft ordinance is attached.

Committee Action:

ZPAC-Approval (9-0-1); RPC-Approval (8-0-2); ZBA Approval (6-0-1); Townships-No Comments; PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: May 9, 2023

ORDINANCE NUMBER 2023-_____

**TEXT AMENDMENTS TO APPENDIX 7 OF THE KENDALL COUNTY SUBDIVISION
CONTROL ORDINANCE BY DELETING PHONE NUMBERS
AND RELATED TEXT ADJUSTMENTS**

WHEREAS, 55 ILCS 5/5-1041 grants counties the ability to adopt subdivision control ordinances; and

WHEREAS, Kendall County adopted the current Kendall County Subdivision Control Ordinance by adoption of Ordinance 2011-06 on March 15, 2011; and

WHEREAS, Appendix 7 of the Kendall County Subdivision Control Ordinance includes telephone numbers as the primary manner of contact for the Kendall County Planning, Building and Zoning Department, Kendall County Highway Department, Kendall County Consulting Engineering, Township Highway Departments, Kendall County Health Department, and Kendall County Soil and Water Conservation District; and

WHEREAS, Kendall County can no longer verify the accuracy of all of the phone numbers listed in Appendix 7 of the Kendall County Subdivision Control Ordinance; and

WHEREAS, additional language needs to be altered in Appendix 7 of the Subdivision Control Ordinance in order to reflect the removal of the various telephone numbers: and

WHEREAS, the Kendall Planning, Building and Zoning Committee, hereinafter be referred to as “Petitioner”, desires to remove the various phone numbers listed in Appendix 7 of the Kendall County Subdivision Control Ordinance; and

WHEREAS, on February 9, 2023, the Petitioner submitted text amendments to the Kendall County Subdivision Control Ordinance amending Appendix 7 of the Kendall County Subdivision Control Ordinance by removing the telephone numbers and altering the text of Appendix 7 to reflect the deletion of phone numbers; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on March 2, 2023, the Kendall County Zoning Board of Appeals conducted a public hearing on March 27, 2023, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested text amendments and zero members of the public testified in favor or in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the text amendments on March 27, 2023; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing, and has forwarded to the Kendall County Board a recommendation of approval of the requested text amendments; and

WHEREAS, the Kendall County Board has considered the recommendations of the Planning, Building and Zoning Committee and the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Subdivision Control Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS,
that the Kendall County Zoning Ordinance be amended as follows:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Amended Text: The following text is added directly under the heading “Local Government Representatives” in Appendix 7 of the Kendall County Subdivision Control Ordinance:

“Please refer to the Kendall County website for contact information for contact information for the following organizations:”
- III. Amended Text: All of the phone numbers listed in Appendix 7 of the Kendall County Subdivision Control Ordinance are hereby deleted.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of May, 2023.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: May 8, 2023

Amount: N/A

Budget: N/A

Issue: Petition 23-06 Request from the Kendall County Planning Building and Zoning Committee for Text Amendments to Appendix 7 of the Kendall County Subdivision Control Ordinance by Removing References to Specific Engineering Companies, Engineers, and Related Text Adjustments

Background and Discussion:

For the past several months, Staff has been working with the codifiers to get all of the Kendall County's regulations into one (1) code. The codifiers recommended several changes to the Kendal County Zoning Ordinance and Subdivision Control Ordinance. During the review, Staff also identified several changes to these regulations. The codifiers recommended that these changes occur prior to adoption of the new code.

Subdivision Control Ordinance-Appendix 7

Greg Chismark and WBK Engineering are listed by name. Staff would like to have a general statement regarding stormwater engineering contact information.

The record for the Petition can be found here,
<https://www.kendallcountyil.gov/home/showpublisheddocument/26287/638186256086295492>

The draft ordinance is attached.

Committee Action:

ZPAC-Approval (9-0-1); RPC-Approval (8-0-2); ZBA Approval (6-0-1); Townships-No Comments; PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: May 9, 2023

ORDINANCE NUMBER 2023-_____

**TEXT AMENDMENTS TO APPENDIX 7 OF THE KENDALL COUNTY SUBDIVISION
CONTROL ORDINANCE BY DELETING REFERENCES TO SPECIFIC ENGINEERING
COMPANIES AND ENGINEERS AND RELATED TEXT ADJUSTMENTS**

WHEREAS, 55 ILCS 5/5-1041 grants counties the ability to adopt subdivision control ordinances; and

WHEREAS, Kendall County adopted the current Kendall County Subdivision Control Ordinance by adoption of Ordinance 2011-06 on March 15, 2011; and

WHEREAS, Appendix 7 of the Kendall County Subdivision Control Ordinance specifically names Greg Chismark at WBK Engineering as the Kendall County Consulting Engineer; and

WHEREAS, the Kendall Planning, Building and Zoning Committee, hereinafter be referred to as “Petitioner”, desires not to name a specific engineer or a specific company as the Kendall County Consulting Engineer in Appendix 7 of the Kendall County Subdivision Control Ordinance; and

WHEREAS, on February 9, 2023, the Petitioner submitted text amendments to the Kendall County Subdivision Control Ordinance amending Appendix 7 of the Kendall County Subdivision Control Ordinance by removing the name of a specific engineer and a specific company as the Kendall County Consulting Engineer and altering the text of Appendix 7 to reflect the deletion of the same; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on March 2, 2023, the Kendall County Zoning Board of Appeals conducted a public hearing on March 27, 2023, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested text amendments and zero members of the public testified in favor or in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the text amendments on March 27, 2023; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing, and has forwarded to the Kendall County Board a recommendation of approval of the requested text amendments; and

WHEREAS, the Kendall County Board has considered the recommendations of the Planning, Building and Zoning Committee and the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Subdivision Control Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, that the Kendall County Zoning Ordinance be amended as follows:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Amended Text: All references to Greg Chismark and WBK Engineering listed in Appendix 7 of the Kendall County Subdivision Control Ordinance are hereby deleted.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of May, 2023.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: May 8, 2023

Amount: N/A

Budget: N/A

Issue: Petition 23-07 Request from the Kendall County Planning Building and Zoning Committee for Text Amendments to Appendix 9 A and Appendix 9 B of the Kendall County Subdivision Control Ordinance by Removing Dead Website Links and Related Text Adjustments

Background and Discussion:

For the past several months, Staff has been working with the codifiers to get all of the Kendall County's regulations into one (1) code. The codifiers recommended several changes to the Kendall County Zoning Ordinance and Subdivision Control Ordinance. During the review, Staff also identified several changes to these regulations. The codifiers recommended that these changes occur prior to adoption of the new code.

Subdivision Control Ordinance-Appendix 9 A

In the Performance Criteria Section, there is a dead link to information about invasive species. Staff would like a general statement instead of a website link.

Subdivision Control Ordinance-Appendix 9 B

In the Native Plan Resources Section, there are several dead links.

The record for the Petition can be found here,

<https://www.kendallcountyil.gov/home/showpublisheddocument/26287/638186256086295492>

The draft ordinance is attached.

Committee Action:

ZPAC-Approval (9-0-1); RPC-Approval (8-0-2); ZBA Approval (6-0-1); Townships-No Comments; PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: May 9, 2023

ORDINANCE NUMBER 2023-_____

**TEXT AMENDMENTS TO APPENDIX 9 A APPENDIX 9 B OF THE KENDALL COUNTY
SUBDIVISION CONTROL ORDINANCE BY DELETING DEAD WEBSITE LINKS AND
RELATED TEXT ADJUSTMENTS**

WHEREAS, 55 ILCS 5/5-1041 grants counties the ability to adopt subdivision control ordinances; and

WHEREAS, Kendall County adopted the current Kendall County Subdivision Control Ordinance by adoption of Ordinance 2011-06 on March 15, 2011; and

WHEREAS, Appendix 9 A of the Kendall County Subdivision Control Ordinance includes a website link to the Illinois Department of Natural Resources on the topic of invasive species that is no longer active; and

WHEREAS, Appendix 9 B of the Kendall County Subdivision Control Ordinance includes website links to various documents on the topics of restoration and natural landscaping that are no longer active; and

WHEREAS, certain text needs to be amended if the inactive website links are removed; and

WHEREAS, the Kendall Planning, Building and Zoning Committee, hereinafter be referred to as “Petitioner”, desires to remove dead website links in Appendix 9 A and Appendix 9 B of the Kendall County Subdivision Control Ordinance; and

WHEREAS, on February 9, 2023, the Petitioner submitted text amendments to the Kendall County Subdivision Control Ordinance amending Appendix 9 A and Appendix 9 B of the Kendall County Subdivision Control Ordinance by removing dead website links and altering the text of Appendix 9 A and Appendix 9 B to reflect the deletion of the same; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on March 2, 2023, the Kendall County Zoning Board of Appeals conducted a public hearing on March 27, 2023, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested text amendments and zero members of the public testified in favor or in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the text amendments on March 27, 2023; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing, and has forwarded to the Kendall County Board a recommendation of approval of the requested text amendments; and

WHEREAS, the Kendall County Board has considered the recommendations of the Planning, Building and Zoning Committee and the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Subdivision Control Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, that the Kendall County Zoning Ordinance be amended as follows:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.

- II. Amended Text: The paragraph under the second bullet point in the Performance Criteria Section contained in Appendix 9 A of the Kendall County Subdivision Control Ordinance is deleted in its entirety and is replaced with the following:

“A more complete listing of common invasive species can be found on the Illinois Department of Natural Resource’s website.”

- III. Amended Text: All website links listed in Appendix 9 B of the Kendall County Subdivision Control Ordinance are hereby deleted.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of May, 2023.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: May 8, 2023

Amount: N/A

Budget: N/A

Issue: Petition 23-08 Request from the Kendall County Planning Building and Zoning Committee for Text Amendments to Section 3:02 of the Kendall County Zoning Ordinance by Amending the Definitions of Brew Pub and Microbrewery

Background and Discussion:

For the past several months, Staff has been working with the codifiers to get all of the Kendall County's regulations into one (1) code. The codifiers recommended several changes to the Kendal County Zoning Ordinance and Subdivision Control Ordinance. During the review, Staff also identified several changes to these regulations. The codifiers recommended that these changes occur prior to adoption of the new code.

The definitions of Brew Pub and Microbrewery should be amended to correspond to State law.

The record for the Petition can be found here,
<https://www.kendallcountyil.gov/home/showpublisheddocument/26287/638186256086295492>

The draft ordinance is attached.

Committee Action:

ZPAC-Approval (9-0-1); RPC-Approval (8-0-2); ZBA Approval (6-0-1); Townships-No Comments; PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: May 9, 2023

ORDINANCE NUMBER 2023-_____

**TEXT AMENDMENTS CHANGING THE DEFINITIONS OF BREW PUB AND
MICROBREWERY IN THE KENDALL COUNTY ZONING ORDINANCE**

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve text amendments and provides the procedure through which text amendments are granted; and

WHEREAS, the Kendall Planning, Building and Zoning Committee, hereinafter be referred to as “Petitioner”, desires to have the definitions of “brew pub” and “microbrewery” contained in the Kendall County Zoning Ordinance match the definitions of these terms contained in State law; and

WHEREAS, on February 9, 2023, the Petitioner submitted text amendments to the Kendall County Zoning Ordinance amending Section 3:02 of the Kendall County Zoning Ordinance by amending the definitions of “brew pub” and “microbrewery” to match the definitions of these terms with the definitions contained in State law; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on March 2, 2023, the Kendall County Zoning Board of Appeals conducted a public hearing on March 27, 2023, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested text amendments and zero members of the public testified in favor or in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the text amendments on March 27, 2023; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing, and has forwarded to the Kendall County Board a recommendation of approval of the requested text amendments; and

WHEREAS, the Kendall County Board has considered the recommendations of the Planning, Building and Zoning Committee and the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, that the Kendall County Zoning Ordinance be amended as follows:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Amended Text: Section 3:02 Definitions is amended by deleting the definitions of “brew pub” and “microbrewery” in their entirety and adding the following terms in the appropriate places alphabetically:

“BREW PUB. A person, including a restaurant or brewery, who manufactures no more than one hundred fifty-five thousand (155,000) gallons of beer per year only at a designated licensed premises to make sales to importing distributors, distributors, and to non-licensees for use and consumption only, who stores beer at the designated premises, and who is allowed to sell at retail from the licensed

premises, provided that a brew pub licensee shall not sell for off-premises consumption more than one hundred fifty-five (thousand) 155,000 gallons per year. (235 ILCS 5/1-3.33).”

“MICROBREWERY. A person, including a brewery, who is a holder of a brewer license or non-resident dealer license who manufactures up to 930,000 gallons of beer per year and who may make sales and deliveries to importing distributors and distributors and to retail licensees in accordance with the conditions set forth in in the Illinois Liquor Control Act. Also referred to as a “Class 1 brewer” per 235 ILCS 5/1-3.38.”

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of May, 2023.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: May 8, 2023

Amount: N/A

Budget: N/A

Issue: Petition 23-09 Request from the Kendall County Planning Building and Zoning Committee for Text Amendments to Section 3:02 of the Kendall County Zoning Ordinance by Amending the Definitions of Tent

Background and Discussion:

For the past several months, Staff has been working with the codifiers to get all of the Kendall County's regulations into one (1) code. The codifiers recommended several changes to the Kendal County Zoning Ordinance and Subdivision Control Ordinance. During the review, Staff also identified several changes to these regulations. The codifiers recommended that these changes occur prior to adoption of the new code.

The definition of Tent should be expanded to include tents outside of campgrounds.

The record for the Petition can be found here,
<https://www.kendallcountyil.gov/home/showpublisheddocument/26287/638186256086295492>

The draft ordinance is attached.

Committee Action:

ZPAC-Approval (9-0-1); RPC-Approval (8-0-2); ZBA Approval (6-0-1); Townships-No Comments; PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: May 9, 2023

ORDINANCE NUMBER 2023-_____

**TEXT AMENDMENTS CHANGING THE DEFINITION OF TENT IN THE
KENDALL COUNTY ZONING ORDINANCE**

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve text amendments and provides the procedure through which text amendments are granted; and

WHEREAS, the Kendall Planning, Building and Zoning Committee, hereinafter be referred to as “Petitioner”, desires to have the definition of “tent” contained in the Kendall County Zoning Ordinance match the definition of this term contained in the 2018 International Building Code; and

WHEREAS, on February 9, 2023, the Petitioner submitted text amendments to the Kendall County Zoning Ordinance amending Section 3:02 of the Kendall County Zoning Ordinance by amending the definition of “tent” to match the definition of this term with the definition contained in the 2018 International Building Code; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on March 2, 2023, the Kendall County Zoning Board of Appeals conducted a public hearing on March 27, 2023, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested text amendments and zero members of the public testified in favor or in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the text amendments on March 27, 2023; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing, and has forwarded to the Kendall County Board a recommendation of approval of the requested text amendments; and

WHEREAS, the Kendall County Board has considered the recommendations of the Planning, Building and Zoning Committee and the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, that the Kendall County Zoning Ordinance be amended as follows:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Amended Text: Section 3:02 Definitions is amended by deleting the definition of “tent” in its entirety and adding the following term in the appropriate places alphabetically:

“TENT. A structure, enclosure, umbrella structure, or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported in any manner except by air or the contents it protects.”

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of May, 2023.

State of Illinois
County of Kendall

Zoning Petition
#23-09

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: May 8, 2023

Amount: N/A

Budget: N/A

Issue: Petition 23-10 Request from the Kendall County Planning Building and Zoning Committee for Text Amendment to Section 11:05 of the Kendall County Zoning Ordinance by Amending the Permitting Requirements of Occupied Recreational Trailers and Mobile Homes (Specifically Deleting the Reference to the Illinois Mobile Home Safety Act)

Background and Discussion:

For the past several months, Staff has been working with the codifiers to get all of the Kendall County's regulations into one (1) code. The codifiers recommended several changes to the Kendal County Zoning Ordinance and Subdivision Control Ordinance. During the review, Staff also identified several changes to these regulations. The codifiers recommended that these changes occur prior to adoption of the new code.

This section references a State law that does not exist.

The record for the Petition can be found here,
<https://www.kendallcountyil.gov/home/showpublisheddocument/26287/638186256086295492>

The draft ordinance is attached.

Committee Action:

ZPAC-Approval (9-0-1); RPC-Approval (8-0-2); ZBA Approval (6-0-1); Townships-No Comments; PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: May 9, 2023

ORDINANCE NUMBER 2023-_____

**TEXT AMENDMENTS PERTAINING TO THE PERMITTING REQUIREMENTS FOR
OCCUPIED RECREATIONAL TRAILERS AND MOBILE HOMES IN THE
KENDALL COUNTY ZONING ORDINANCE**

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve text amendments and provides the procedure through which text amendments are granted; and

WHEREAS, Section 11:05.D.2 of the Kendall County Zoning Ordinance requires occupied recreational trailer and mobile homes to be in compliance with the Illinois Mobile Home Safety Act; and

WHEREAS, the Illinois Mobile Home Safety Act does not exist; and

WHEREAS, the Kendall Planning, Building and Zoning Committee, hereinafter be referred to as “Petitioner”, desires to correct this inaccurate reference; and

WHEREAS, on February 9, 2023, the Petitioner submitted text amendments to the Kendall County Zoning Ordinance amending Section 11:05.D.2 of the Kendall County Zoning Ordinance by deleting the reference to the Illinois Mobile Home Safety Act and adjusting the remainder of the text of this Section to reflect this deletion; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on March 2, 2023, the Kendall County Zoning Board of Appeals conducted a public hearing on March 27, 2023, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested text amendments and zero members of the public testified in favor or in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the text amendments on March 27, 2023; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing, and has forwarded to the Kendall County Board a recommendation of approval of the requested text amendments; and

WHEREAS, the Kendall County Board has considered the recommendations of the Planning, Building and Zoning Committee and the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, that the Kendall County Zoning Ordinance be amended as follows:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Amended Text: The present language contained in Section 11:05.D.2 of the Kendall County Zoning Ordinance is hereby deleted in its entirety and is replaced with the following:

“Occupied recreational trailers and mobile homes subject to permit requirements must show evidence of compliance with federal HUD regulations or applicable State law.”

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of May, 2023.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: May 8, 2023

Amount: N/A

Budget: N/A

Issue: Petition 23-11 Request from the Kendall County Planning Building and Zoning Committee for the Repealing of Ordinance 1998-10 and Text Amendment to Section 13:01 of the Kendall County Zoning Ordinance by Establishing Procedures to Close Inactive Zoning Related Petitions

Background and Discussion:

For the past several months, Staff has been working with the codifiers to get all of the Kendall County's regulations into one (1) code. The codifiers recommended several changes to the Kendall County Zoning Ordinance and Subdivision Control Ordinance. During the review, Staff also identified several changes to these regulations. The codifiers recommended that these changes occur prior to adoption of the new code.

This Ordinance established procedures for closing inactive petitions. This Ordinance is outdated and now only applies to the Zoning Ordinance and Stormwater Management Ordinance. Staff is working with the State to incorporate the language in the Stormwater Ordinance; the Zoning Ordinance should be changed prior to adoption of the new code.

The record for the Petition can be found here,
<https://www.kendallcountyil.gov/home/showpublisheddocument/26287/638186256086295492>

The draft ordinance is attached.

Committee Action:

ZPAC-Approval (9-0-1); RPC-Approval (8-0-2); ZBA Approval (6-0-1); Townships-No Comments; PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: May 9, 2023

ORDINANCE NUMBER 2023-_____

**REPEALING ORDINANCE 1998-10 AND TEXT AMENDMENTS ESTABLISHING A
PROCEDURE TO CLOSE INACTIVE ZONING RELATED PETITIONS IN THE
KENDALL COUNTY ZONING ORDINANCE**

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve text amendments and provides the procedure through which text amendments are granted; and

WHEREAS, on June 16, 1998, the Kendall County Board adopted Ordinance 1998-10 which established procedures for closing inactive petitions; and

WHEREAS, Ordinance 1998-10 was not incorporated into the Kendall County Zoning Ordinance; and

WHEREAS, the Kendall Planning, Building and Zoning Committee, hereinafter be referred to as “Petitioner”, desires to incorporate similar language contained in Ordinance 1998-10 into the Kendall County Zoning Ordinance; and

WHEREAS, on February 9, 2023, the Petitioner submitted text amendments to the Kendall County Zoning Ordinance repealing Ordinance 1998-10 and amending Section 13:01.A of the Kendall County Zoning Ordinance by establishing procedures for closing inactive petitions; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on March 2, 2023, the Kendall County Zoning Board of Appeals conducted a public hearing on March 27, 2023, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested text amendments and zero members of the public testified in favor or in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the text amendments on March 27, 2023; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing, and has forwarded to the Kendall County Board a recommendation of approval of the requested text amendments; and

WHEREAS, the Kendall County Board has considered the recommendations of the Planning, Building and Zoning Committee and the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, that the Kendall County Zoning Ordinance be amended as follows:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Ordinance 1998-10 is hereby repealed in its entirety.

III. Amended Text: Section 13:01.A of the Kendall County Zoning Ordinance is hereby amended by adding the following language to the end of the Section:

“4. Procedure in case of petition inactivity. The Zoning Administrator may declare an application for text amendment, map amendment, special use permit, major or minor amendments to special use permits, administrative or traditional variance, conditional use permit, or site plan review closed if the party requesting the action has ceased communications with the Planning, Building and Zoning Department for a period of six (6) months and the following actions are taken:

- a. The Zoning Administrator shall send a certified letter to the applicant at the address stated on the original application stating that the petition will be closed for inactivity. The applicant will be informed that they have sixty (60) days from the date of the letter to re-activate the petition.
- b. If the Zoning Administrator does not receive a response in writing within sixty (60) days of the date the letter was mailed, the petition shall be dismissed by the Zoning Administrator.
- c. If the Zoning Administrator receives communication that the applicant would like to keep the petition active, the Zoning Administrator shall keep the petition open.
- d. If an applicant believes that the Zoning Administrator incorrectly closed an application for inactivity, the applicant shall submit an appeal to the Planning, Building and Zoning Committee outlining the reasons why the application should remain active. The Planning, Building and Zoning Committee shall conduct an initial review of the appeal at their next available Committee meeting. If the Planning, Building and Zoning Committee rules in favor of the applicant, the application shall be re-activated. If the Planning, Building and Zoning Committee rules against the applicant, the application shall be considered closed.”

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of May, 2023.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: May 8, 2023

Amount: N/A

Budget: N/A

Issue: Petition 23-13 Request from the Kendall County Planning Building and Zoning Committee for Text Amendments to the Kendall County Zoning Ordinance by Amending Kendall County's Kennel Regulations

Background and Discussion:

In response to the special use permit amendments for the kennel at the northeast corner of Ridge and Bell Roads, Staff prepared the following proposed amendments to kennel regulations.

In summary, the proposed changes are as follows:

1. Allow pets outdoors until 10:00 p.m. for the purposes of allowing owners to pick-up and drop-off pets and to allow for normal bathroom breaks.
2. Establish uniform kennel regulations throughout the County.
3. Minor text alterations.

The record for the Petition can be found here,
<https://www.kendallcountyil.gov/home/showpublisheddocument/26289/638156051277370000>

The draft ordinance is attached.

Committee Action:

ZPAC-Approval (9-0-1); RPC-Approval (8-0-2); ZBA Approval (6-0-1); Townships-No Comments; PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: May 9, 2023

ORDINANCE NUMBER 2023-_____

**TEXT AMENDMENTS PERTAINING TO THE REGULATION OF KENNELS IN THE
KENDALL COUNTY ZONING ORDINANCE**

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve text amendments and provides the procedure through which text amendments are granted; and

WHEREAS, kennels are presently special uses within the A-1 Agricultural, B-3 Highway Commercial, B-4 Commercial Recreation, M-1 Limited Manufacturing, and M-2 Heavy Industrial Zoning Districts;

WHEREAS, animals in kennels are required to be indoors between the hours of sunset and sunrise with no exceptions;

WHEREAS, the Kendall Planning, Building and Zoning Committee, hereinafter be referred to as “Petitioner”, desires to allow animals in kennels to be outdoors between the hours of sunset and sunrise for specific purposes and desires to have common regulations for kennels across the zoning districts where they are allowed by special use permit; and

WHEREAS, on February 9, 2023, the Petitioner submitted text amendments to the Kendall County Zoning Ordinance amending the regulations for kennels by allowing animals at kennels to be outdoors between the hours of sunset and sunrise for the purposes of owners picking-up and dropping-off pets and for regular bathroom breaks until 10:00 p.m. and related text corrections; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on March 2, 2023, the Kendall County Zoning Board of Appeals conducted a public hearing on March 27, 2023, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested text amendments and zero members of the public testified in favor or in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the text amendments on March 27, 2023; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing, and has forwarded to the Kendall County Board a recommendation of approval of the requested text amendments; and

WHEREAS, the Kendall County Board has considered the recommendations of the Planning, Building and Zoning Committee and the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, that the Kendall County Zoning Ordinance be amended as follows:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.

- II. Amended Text: Section 7:01.D.29 of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

“Kennels provided that the kennels must be located inside and must be located a minimum of two hundred fifty feet (250’) from the lot line of lots zoned residential or shown as Residential on the LRMP map and one hundred fifty feet (150’) from lots zoned other than residential or shown on the LRMP map as non-residential. The animals must be indoors by sunset, except for the purposes of owners picking-up and dropping-off pets and regular bathroom breaks until 10:00 p.m.”

- III. Amended Text: Section 9:03.C.14 of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

“Kennels with the conditions contained in Section 7:01.D.”

- IV. Amended Text: Section 9:04.C.10 of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

“Kennels with the conditions contained in Section 7:01.D.”

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of May, 2023.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning Committee

Meeting Date: May 8, 2023

Amount: \$1,000

Budget: Yes - Planning, Building and Zoning Department NPDES Permit Fee Line Item (1101902-63670)

Issue: Approval of Annual NPDES Report

Background and Discussion:

Kendall County is required to submit certain documents annually by June 1st as required by its NPDES Permit.

The 2023 Annual Report is similar to the 2022 Annual Report.

There is a One Thousand Dollar (\$1,000) submittal fee, which has been unchanged for several years.

The proposed Annual Report is attached.

Committee Action:

PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: May 9, 2023

APPROVED HEADCOUNT

Administration: 4

Facilities: 9

Animal Control: 7

Human Resources: 3

County Board: 10

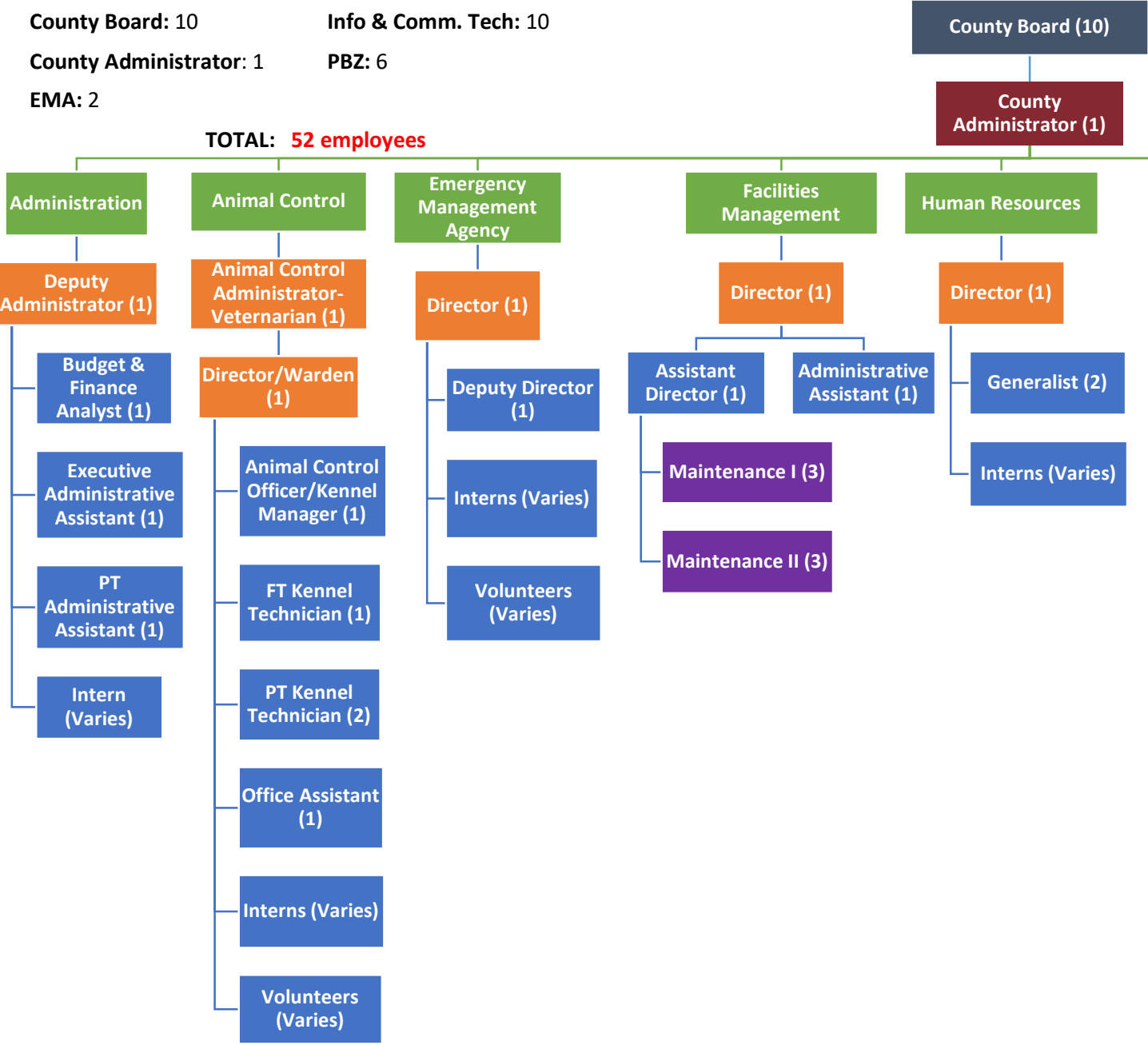
Info & Comm. Tech: 10

County Administrator: 1

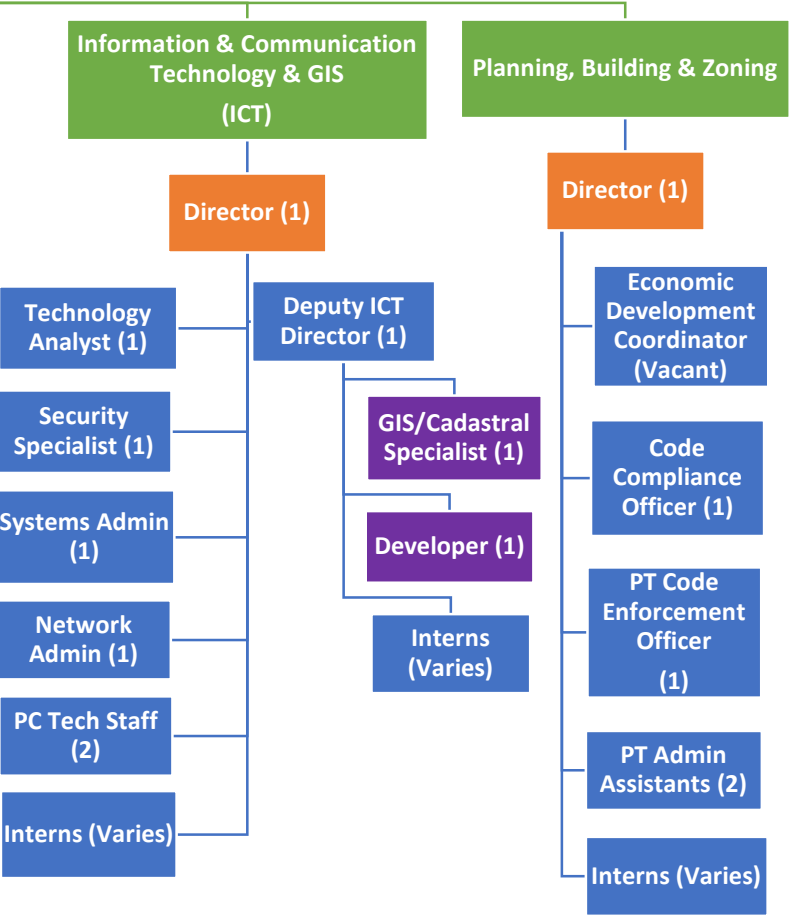
PBZ: 6

EMA: 2

TOTAL: 52 employees



Kendall County, Illinois
Organizational Chart



All positions listed are full-time unless otherwise noted above.

Approved: 4/18/2023 (Revised: In Progress)

AMENDMENT NO. 1 TO SERVICES AGREEMENT

This Amendment No. 1 ("**Amendment**") to the Services Agreement between Mesirow Insurance Services, Inc. ("**MIS**") and Kendall County ("**Client**"), with an Effective Date of October 2, 2018 (the "**Agreement**"), shall become effective on October 1, 2023 (the "**Amendment Effective Date**"). Alliant and Client may be referred to hereinafter individually as a "**Party**" and collectively as the "**Parties**."

WITNESSETH

WHEREAS, the Parties entered into the Agreement so that MIS could provide certain insurance brokerage and related consulting services described therein to Client;

WHEREAS, the Agreement's Initial Term of three (3) years expired on September 30, 2021 and Client subsequently exercised both Renewal Terms under the Agreement (October 1, 2021 to September 30, 2022; and October 1, 2022 to September 30, 2023) and the Contract Term is presently set to terminate on September 30, 2023;

WHEREAS, notwithstanding the foregoing, Client wishes to extend the Contract Term of the Agreement to include an additional one (1) year Renewal Term commencing on October 1, 2023 and terminating on September 30, 2024;

NOW THEREFORE, in consideration of the mutual promises and covenants occasioned by the terms of this Amendment, the Parties agree, to modify the Agreement as described herein:

1. **Definitions.** Unless otherwise defined herein, capitalized terms used herein shall have the meaning as ascribed to such terms in the Agreement.
2. **Extension/Amendments To Agreement.**
 - a. Section III(a) of the Agreement is hereby amended to provide Client with a discretionary third one (1) year Renewal Term from October 1, 2023 to September 30, 2024.
 - b. Client is hereby exercising its discretion to extend the Agreement for the additionally granted one (1) year Renewal Term, commencing on October 1, 2023, and terminating on September 30, 2024 (the "**Third Renewal Term**");
 - c. MIS will receive the following annual fee as compensation for the Services it renders during the Third Renewal Term: Forty-Nine Thousand Dollars (\$49,000.00).
4. **Recitals; No Other Amendments; Conflict of Terms.** Recitals are incorporated by reference as substantive provisions. Except as expressly modified herein, all other terms and provisions set forth in the Agreement shall remain in full force and effect and shall not otherwise be affected by this Amendment. This Amendment may be executed in any number of counterparts and by different parties hereto in separate counterparts, each of which when so executed and delivered (whether manually or electronically) shall be deemed to be an original and all of which taken together shall constitute but one and same instrument.

IN WITNESS WHEREOF, the Parties authorized representatives have executed this Amendment to be effective as of the Amendment Effective Date stated above.

MESIROW INSURANCE SERVICES, INC.	KENDALL COUNTY
By: _____	By: _____
Print: _____	Print: _____
Its: _____	Its: _____



Kendall County Government
Human Resources Department
111 W. Fox Street
Yorkville, IL 60560
P (630) 381-9149
HRDepartment@kendallcountyil.gov

EXIT INTERVIEW QUESTIONNAIRE

Thank you for your service to Kendall County and its residents! We would appreciate you taking about 15 minutes to answer the below Exit Interview Questionnaire as honestly as possible. We believe your feedback is of vital importance and will assist us in analyzing our employee retention, turnover, and areas for future improvement and growth. Thank you for your cooperation!

EXIT INTERVIEW DATE & TIME: Your exit interview with the Kendall County Human Resources Department is scheduled for **TBD**. The interview will take place in the Kendall County Human Resources Department.

Please bring your completed Exit Interview Questionnaire with you to your exit interview.

Background Information:
NAME:
JOB TITLE:
DEPARTMENT:
IMMEDIATE SUPERVISOR:
HIRE DATE:
LAST DAY OF EMPLOYMENT:

1. What prompted you to leave your employment at Kendall County?	
<input type="checkbox"/> Compensation	<input type="checkbox"/> Better employee benefits
<input type="checkbox"/> Quality of supervision	<input type="checkbox"/> Family circumstances
<input type="checkbox"/> Commute	<input type="checkbox"/> Work schedule
<input type="checkbox"/> Workplace culture	<input type="checkbox"/> Lack of recognition
<input type="checkbox"/> Career advancement opportunity	<input type="checkbox"/> Other:

2.	Please rate the following aspects of the organization overall:					
		Excellent	Good	Fair	Poor	N/A
	New employee orientation (HR)					
	New employee department training					
	Employee morale					
	Fair treatment of employees					
	Recognition for a job well done					
	Communication with management					
	Access to resources					
	Benefit options					
	Compensation					
Comments:						

3.	Please rate your immediate supervisor on each of the following:					
		Excellent	Good	Fair	Poor	N/A
	Provided feedback					
	Recognized a job well done					
	Clearly communicated expectations					
	Provided leadership					
	Resolved concerns promptly					
	Listened to feedback					
	Kept employees informed					
Comments:						

4.	Please rate your compensation and employee benefits received at Kendall County:					
		Excellent	Good	Fair	Poor	N/A
	Base salary					
	Medical plan					
	Dental plan					
	Vision plan					
	Life Insurance & disability benefits					
	Paid time off					
	Retirement savings					
Comments:						

5.	Please rate each of the following in relation to your position with Kendall County:					
		Excellent	Good	Fair	Poor	N/A
	Cooperation within your department					
	Cooperation with other departments/offices					
	Morale in your department					
	Job satisfaction					
	Training you received					
	Growth potential					
	Your individual workload					
	The performance review process					
Comments:						

Do you feel you were treated differently than other employees?

☐ Yes

☐ No

If "yes", please explain how:

Would you recommend Kendall County to a friend as a place to work?

☐ Yes

☐ No

If "no", please explain why not:

Please provide any additional feedback you believe may be valuable to Kendall County's future success:

Please sign and date this form below authorizing the placement of this Exit Interview form within your personnel file.

Thank you for your feedback!

Employee Signature

Date

For Administrative Use Only (to be completed by the Human Resources Department):

Exit Interview Questionnaire Received by: _____

Date Received: _____

Exit Interview Completed by: _____

Date Completed: _____

Notes:

COUNTY OF KENDALL, ILLINOIS
Resolution 23-_____

RESOLUTION REGARDING AUTHORIZED DRIVERS PROCEDURES

WHEREAS, the County of Kendall, Illinois (“County”) maintains auto insurance coverage for all County owned vehicles; and

WHEREAS, County employees and elected officials shall not drive County owned unless and until they have been included on the County’s list of authorized drivers provided to the County’s auto insurance provider (hereinafter referred to as the “authorized drivers list”); and

WHEREAS, the County’s Human Resources Department provides risk management and compliance services for the County, which includes maintaining and updating the County’s authorized drivers list with insurance; and

WHEREAS, the County is establishing the below procedure to ensure that all requests to add and remove individuals from the County’s authorized drivers list are timely and accurately documented for insurance purposes; and

NOW, THEREFORE, the Kendall County Board establishes the following Authorized Drivers Procedures effective immediately:

1. The below procedures apply to all Kendall County departments and all elected offices who utilize Kendall County’s auto insurance for their vehicles.
2. No individual shall be authorized to drive a County insured vehicle unless and until they have been approved and added to the County’s authorized drivers list.
3. **Request to Add/Remove Authorized Driver (RAD) Form:** To request an individual be added and/or removed from the County’s authorized drivers list, the department head and/or elected official, or their designee, must complete a RAD Form (attached hereto as **Exhibit 1**).
 - a. **RAD Form Requesting to Add a Driver:** All RAD Forms requesting an individual be added to the County’s authorized drivers list must be provided to the County’s Human Resources Department **at least three (3) business days before the individual will begin driving a County insured vehicle.**
 - b. **RAD Form Requesting to Remove a Driver:** All RAD Forms requesting the removal of a driver from the County’s authorized drivers list must be provided to the County’s Human Resources Department **within three (3) business days after the individual’s last day of employment.**

4. If the received RAD Form is incomplete, the County's Human Resources Department will return the incomplete form to the department head and/or elected official, or their designee, for correction.
5. The Human Resources Department shall be responsible for notifying the elected official and/or department head, or their designee, if their request to add and/or remove a driver to or from the County's authorized drivers list has been approved/completed.

Approved this 16th day of May, 2023.

Attest:

Matthew Kellogg, County Board Chairman

Debbie Gillette, County Clerk and Recorder



KENDALL COUNTY, ILLINOIS

REQUEST TO ADD/REMOVE AUTHORIZED DRIVER

To request an individual be ADDED to or REMOVED from the County's authorized driver list for insurance purposes, please complete and return this form *to Kendall County Human Resources Department, 111 W. Fox Street, Yorkville, Illinois; Email: HRDepartment@kendallcountyil.gov*. An individual should NOT drive any County owned vehicle unless and until they are on the County's authorized driver's list.

REQUEST TO: ☐ **ADD an Authorized Driver** ☐ **REMOVE an Authorized Driver**

Full Name of Driver:

Employee #:

Department/Office:

Job Title:

First Day of Employment:

Last Day of Employment:

Request Made By:

Job Title:

Date of Request:

IF ADDING DRIVER, PLEASE COMPLETE THIS SECTION:

Employment Status (*please check one*):

- | | |
|--|---|
| <input type="checkbox"/> New Hire | <input type="checkbox"/> Existing Employee |
| <input type="checkbox"/> New Volunteer | <input type="checkbox"/> Existing Volunteer |

Has this individual successfully completed a motor vehicle records (MVR) check for employment with Kendall County? ☐ Yes ☐ No

☐ *If you answered "no", the applicant's completed MVR Check Consent Form must be attached.*

☐ *If you answered "yes", please provide the following information in lieu of an MVR Check Consent Form:*

Date MVR Check Completed:

MVR Check Completed by:

Driver's License #:

State of Issuance:

Date of Issuance:

Driver's D.O.B.:

FOR ADMINISTRATIVE USE - TO BE COMPLETED BY HR DEPARTMENT

Received by: _____

Date: _____

☐ **ADDED** **NOT APPROVED** or **REMOVED** from Kendall County's list of authorized drivers.

Effective Date of Action:

Date Notified Department/Office:

Completed by:

CRIMINAL BACKGROUND CHECK &/OR MOTOR VEHICLE RECORD AUTHORIZATION FOR EMPLOYMENT OR VOLUNTEERING

PLEASE PRINT LEGIBLY

I, _____ authorize the County of Kendall, Illinois and the Kendall County Human Resources Department ("Kendall County") to complete a Background Check through the Illinois State Police Criminal History Information Response Process, **and/or** a Motor Vehicle Record Investigation on me through Alliant Mesirow Insurance Company (MVR **NOT** required for Volunteers) and/or employees where driving a Kendall County vehicle is not an essential function of their position.)

I hereby authorize any person or agency to release any and all information necessary for Kendall County to complete the above-referenced investigation. I certify that I will not hold Kendall County, its respective past, present, and future Board Members, Elected Officials, Department Heads, Judges, Deputies, Employees, Agents, and Assignees liable in any way in connection with this investigation.

I understand and agree that, to the extent permitted by applicable state and federal laws, falsification of any information provided by me or the results of the Criminal Background Check and Motor Vehicle Record Investigation may be immediate grounds to deny my employment or volunteer application, or may result in my immediate dismissal as an employee or volunteer with Kendall County.

EMPLOYEE/VOLUNTEER FIRST NAME (Please print)	EMPLOYEE/VOLUNTEER LAST NAME
EMPLOYEE/VOLUNTEER SIGNATURE	DATE
COUNTY DEPARTMENT OR ELECTED OFFICE	AUTHORIZATION FOR EMPLOYMENT OR VOLUNTEER?

PERSONAL DATA

FIRST NAME	MIDDLE	LAST NAME
EMAIL:	DATE OF BIRTH	
HOME ADDRESS		
CITY, STATE, ZIP	PRIMARY PHONE NUMBER	
DRIVER'S LICENSE NUMBER	STATE OF ISSUE	
ADDRESS ON DRIVER'S LICENSE	CITY, STATE, ZIP	
EMERGENCY CONTACT NAME	EMERGENCY CONTACT PHONE NUMBER	

Date Form Received in Human Resources Department ____/____/____

Initials _____

____ Date Sent to Alliant Mesirow ____/____/____

Date Report sent to Department Head ____/____/____

COUNTY OF KENDALL, ILLINOIS

RESOLUTION 2023-__

**RESOLUTION GRANTING THE KENDALL COUNTY CIRCUIT CLERK AUTHORITY TO
ENTER INTO AGREEMENTS WITH JANO TECHNOLOGIES ON BEHALF OF KENDALL
COUNTY, ILLINOIS**

WHEREAS, the Kendall County Circuit Clerk has negotiated with JANO Technologies a continuation of its agreement for a case management system; and

WHEREAS, the Kendall County Board has received, reviewed, and now approves of the contract attached to this Resolution as exhibits A

NOW, THEREFORE, BE IT RESOLVED that the Kendall County Board hereby grants the Kendall County Circuit Clerk the authority, on behalf of Kendall County, to enter into the agreements, attached to this Resolution as exhibit A as negotiated by the Clerk of the Circuit Court.

Approved and adopted by the County Board of Kendall County, Illinois, this ____ day of _____, 2023.

Board Chairman Signature:

Attest:

Matt Kellogg, Chairman
County Board

Debbie Gillette
County Clerk

LICENSED PROGRAM MAINTENANCE AND HOSTING SERVICES AGREEMENT

Effective Date: December 1, 2023

Name of Licensed Program and Description	Source Code Incl.?	Deployment Type / Designated Machine	Distribution Medium
CLERICUS MAGNUS Integrated Court Module CLERICUS MAGNUS Child Support Module CLERICUS MAGNUS Prosecutor Module CLERICUS MAGNUS Public Defender Module	Yes	Hosted: IBM Server in the JANO Cloud	N/A

Period Start Date	Period End Date	Total Fees Due	Payment Frequency	Electronic Customer Support?
December 1, 2023	November 30, 2033	1,719,989	120 equal monthly installments of \$ \$14,333.24	Yes

Contact Person		
Matthew Prochaska	630 – 553 – 4275	mprochaska@kendallcountyil.gov

This Licensed Program Maintenance Agreement (this "Agreement") is made as of the date set forth above (the "Effective Date") by and between Jano Technologies, Inc., a Mississippi corporation ("JANO"), with its principal office located at 415 Devonshire, Champaign, IL 61820, and the Kendall County Clerk of the Circuit Court ("Customer"), with its principal office located at 807 W. John Street, Yorkville, IL 60560.

RECITALS:

Whereas, JANO and the Customer intend that JANO shall provide software maintenance and hosting services for the CLERICUS MAGNUS software product

NOW THEREFORE, in consideration of the covenants and agreements contained herein, and for other good and valuable consideration, the receipt, sufficiency, and adequacy of which are hereby acknowledged, the parties agree as follows:

1. **Definitions.** This Agreement describes the services, fees and procedure whereby JANO will provide the Program Maintenance Services (as defined hereafter) to the Customer. In this Agreement, the following terms shall have the following

meanings. Capitalized terms used, but not defined, herein shall have the respective meanings ascribed to them in the software license agreement.

a. **Licensed Program(s).** The term "Licensed Programs" or "Licensed Program" refers to the JANO computer program, including both source code and object code, commonly known as CLERICUS MAGNUS Integrated Justice Information System which is incorporated herein by this reference, including both the standard and optional features therein, that has been provided to and for the benefit of the Customer and its Affiliates.

b. **Associated Documentation.** The term "Associated Documentation" refers to any written materials relating to any Licensed Program, including, without limitation, installation instructions, operating service manuals, and training materials provided by JANO in connection with any Licensed Program.

c. **Software.** The term "Software" refers to the Licensed Programs and Associated Documentation, and any corrections, modifications, additions, revisions, or enhancements of the Licensed Programs and Associated Documentation, that are provided to the Customer pursuant to this Agreement or the Software License Agreement.

2. **Program Maintenance Services.** The following program maintenance services shall be provided by JANO under this Agreement (collectively, the "Program Maintenance Services"):

a. **Licensed Program Services:** JANO will attempt to duplicate any problem the Customer is having, and, if the problem is caused by a defect in the Software, JANO will promptly correct or provide a reasonable bypass for the defect. A "defect" is defined as any problem in the Software which causes it to deviate from the specifications and the warranties for such Software set forth in the Software License Agreement. A "reasonable bypass" is a temporary workaround that provides substantially all of the previously-existing functionality and features of the Software without involving any material increase in time, resources, or effort on the part of the Customer or its Affiliates, or any material degradation in performance of the Software. Corrections of defects will be made by JANO through distribution of Software fixes, either on magnetic media or via electronic customer support (as described below). Cumulative defect corrections will be included with new Software releases when such releases are distributed. The Customer agrees to provide JANO with reasonable access to any of the Customer's computers, or to any of its information technology personnel, as needed and as reasonably requested, to assist JANO personnel in ascertaining the nature and extent of the problem and in determining possible solutions. JANO shall provide reasonable methods by which the Customer's designated contact persons shall report problems or apparent defects with the Software (including providing a toll-free telephone number, a facsimile number, an email address, and the URL of a World-Wide Web site through which problem reports may be submitted).

Upon receiving the report of any problem, JANO shall immediately assign appropriately qualified personnel and begin diligent efforts to determine the cause of, and to promptly resolve, such problem. JANO shall continuously use its best efforts to resolve critical problems (i.e., those in which all or a substantial portion of the functionality of a Licensed Program or the System is unavailable for use by a significant number of the Customer's or its Affiliates end-users) within eight (8) hours after such problem was reported. JANO shall use all commercially reasonable efforts to resolve non-critical problems within two (2) days, or as soon as commercially reasonable given the nature and extent of the impact of such problem upon the Customer and its Affiliates. JANO shall keep the Customer reasonably updated as to the status of all reported, but unresolved, problems. Failure by JANO to resolve problems consistent with this paragraph will result in a material breach of this agreement

b. Licensed Program Releases. From time to time, updates and releases of the Licensed Programs will be distributed by JANO to its customers (including the Customer) and shall include, but shall not be limited to, new features, performance improvements, cumulative corrections or fixes, revisions, or enhancements that have been made to the Software since the last release or initial installation (each such update or release, a "Program Release"). JANO shall make available to the Customer any Program Releases necessary for the Customer to maintain compatibility with the most current releases and versions of the underlying operating system and database software (and the most current fixes and patches to such releases and versions) within a reasonable amount of time after such releases, versions, fixes, or patches become generally and commercially available to the licensed users of such software. The Customer shall be offered each Program Release by JANO at approximately the same time that such Program Release is made generally available to JANO's other customers. The Customer shall have the right, but not the obligation, to install any such Program Release. Installation of a Program Release is the Customer's responsibility. If the Customer has made modifications or additions to the Licensed Programs, JANO cannot be responsible for the successful installation of any Program Release, or for the correct operation, in conjunction with the new release, of any change or addition the Customer has made. Program Releases must be installed within 180 days after JANO makes the release generally available to its customers (including the Customer). JANO assumes no responsibility for any Licensed Program defects contained in prior Program Releases in the event that a new Program Release has been made available by JANO but is not installed by the Customer within such 180 day time period, and JANO cannot guarantee that hotline questions regarding such prior Program Releases will be properly or correctly answered. To the extent consistent with the foregoing provisions of this paragraph, each party shall reasonably cooperate with the other with respect to the Customer's migrating to new releases and versions of operating system or database software (or fixes and patches to such releases and versions) and each party shall use commercially reasonable efforts to keep the other party reasonably well-informed, both prior to and following any such

migrations, regarding any problems that might reasonably be anticipated and any problems actually encountered.

c. Telephone Hotline Support: Telephone Hotline Support shall be provided to the Customer during JANO's normal business hours of 8:00 a.m. to 5:00 p.m. Central time (whether standard or daylight time, as applicable), Monday through Friday. The Customer agrees to follow any reasonable hotline guidelines, as disseminated by JANO to the Customer, from time to time, reasonably in advance of when such guidelines take effect. For example, JANO asks that the Customer inform the JANO operator that the Customer's call is a hotline call for a particular Licensed Program (giving its name). Telephone Hotline Support includes, but is not limited to, application support and problem resolution for all Licensed Programs, answering "how to" questions, and responding to general inquiries.

d. Electronic Customer Support: Electronic Customer Support is provided by JANO by electronically connecting the JANO computer to the Customer's computer via communication line, allowing JANO to remotely troubleshoot problems and distribute Software fixes to the Customer electronically. In order to utilize this Electronic Customer Support, the Customer is required to have, at the Customer's expense, communications support (hardware, system software, and a telephone connection) that is compatible with JANO, the specifications of which shall be promptly provided to the Customer in writing upon request. The Customer must authorize JANO to establish this service and, once authorized, JANO shall promptly establish such service. The parties shall jointly establish the reasonable security ground rules that will be followed. For example, JANO shall be required to obtain the Customer's written approval to view or change the Customer's or its Affiliates' data files while performing on-line troubleshooting or corrections. The Customer may be subject to pay other charges reasonably incurred by JANO in providing electronic customer support. Such charges will be itemized and billed to the Customer monthly, as provided for in this Agreement.

e. Licensed Program Currency: When an entity other than the Customer or any of its Affiliates, or a change in applicable laws or regulations, requires a change to be made in a data file layout or a report, or some other change to existing Licensed Program functionality, JANO will promptly make the necessary modifications to the Licensed Programs to comply with those required changes. Modifications necessitated by changes applicable laws or regulations, or by changes required by a regulatory agency, shall be made without charge. When changes are required by the Customer or any of its Affiliates and those changes require modifications to existing Licensed Program functionality, JANO will make the specified changes according to a separately agreed-to Services Agreement, and will charge the customer the standard JANO hourly rate of \$132.50 per hour for development efforts needed to make the change.

3. **Cloud Hosting Services.** JANO will use commercially reasonable efforts to provide Cloud Hosting Services as outlined in Schedule B, which is attached hereto and incorporated by reference as part of this Agreement. These services generally include, but are not limited to, account management and governance support, implementation services, monitoring services, engineering support, network and security services, and disaster recovery support (collectively, "Cloud Hosting Services").

4. **Fees, Invoicing and Payment.** The Customer agrees to pay all undisputed invoiced amounts, according to the terms specified in this Agreement. The total amount due for maintenance will be paid in yearly installments for each module according to the following schedule:

Total Fees due under this agreement shall be those stated in Schedule A, which is attached hereto and incorporated by reference as part of this Agreement.

While this contract secures pricing for the 10-year period, customer retains the option to extend the contract based on the terms in paragraph 7 below. All payments shall be made in accordance with the Illinois Local Government Prompt Payment Act, as amended (50 ILCS 505/1 *et seq*)

5. **Miscellaneous.** Each party agrees that: (a) it shall not use the other party's name trademarks, trade names, service marks, logos, or other designations in any promotion or publication without the other party's prior written consent (and specifically with regard to JANO, JANO shall not reflect or represent in any promotion or publication that the Customer or any of its Affiliate approve of, or advocate the use of, the Software, without the Customer's prior written consent); (b) all information provided by the other party (and with respect to the Customer, its Affiliates) that could reasonably be considered confidential shall be kept in strict confidence and shall not be disclosed to any third party without the third party signing a reasonable confidentiality agreement; (c) it will notify the other party of any breach of this Agreement and allow the other party a reasonable opportunity (not more than thirty (30) days) to cure any such breach and comply with the terms hereof before it claims that the other party has breached any of its obligations under this Agreement; and (d) if any legal action is taken or initiated as a result of this Agreement, all costs of that legal action, including reasonable legal fees, will be paid by the non-prevailing party. For purposes of this Agreement, the prevailing party that would be entitled to such reimbursement would be defined as a party who has recovered 75% or more of damages sought by the party.

6. **The Customer's Responsibilities.** The Customer agrees: (a) to provide JANO with reasonable access to the Customer's facilities as necessary for JANO to fulfill its obligations, subject to Customer's privacy and security requirements, and if the Customer becomes aware of any reasonably unsafe conditions, or hazardous materials, to which JANO personnel would be exposed at any of the Customer's facilities, the Customer agrees to promptly notify JANO; and (b) to appoint a contact person for the Customer and one for each of its Affiliates, which contact persons shall have completed all the appropriate JANO training, and who, upon JANO's reasonable request, will disseminate JANO's instructions or corrections throughout the Customer's organization.

7. **Term and Termination.** Performance of this agreement shall commence from December 1, 2023 and shall continue until November 30, 2033. At the expiration of the Initial 10 year Maintenance Period (as defined in paragraph 4 above and with Schedule A), and upon expiration of each subsequent Renewal Maintenance Period (as defined below), the Customer shall have the right to purchase maintenance services for an additional period (each such period, a "Renewal Maintenance Period"). JANO shall give the Customer sixty (60) days written notice prior to the expiration of the Initial Maintenance Period and of each Renewal Maintenance Period, of its intent to seek a change in the applicable annual maintenance fee. Any such change in the annual maintenance fee for Renewal Maintenance Periods shall be negotiated by the parties in good faith, and shall reflect a fair and reasonable fee based on the customary and prevailing rates for similar services in the software industry. In no event shall any such change result in greater than a six percent (6%) increase in any twelve (12) month period following the Initial Maintenance Period, not including the impact of upgrades as specified in paragraph 8 below.

Either party may terminate this Agreement upon thirty (30) days written notice only if the other party is in material breach of any of the terms of this Agreement, provided the breaching party is given prior written notice thereof and reasonable time (not to exceed thirty (30) days) to cure such breach. In the case of a material breach of this agreement, and Customer terminates the agreement, no additional payments, penalties and/or early termination charges shall be required from Customer.

In the unlikely event that JANO, or any of its successors or assignees, ceases offering the Program Maintenance Services, the Customer shall have the right to obtain from JANO, or its successors or representatives acting on behalf of JANO, such documentation as JANO shall have for, and immediate access to, the Software's source code so that the Customer may maintain its normal use of, and may modify as necessary, the Licensed Programs. Such documentation and source code shall be licensed to the Customer without additional charge, in accordance with the terms and conditions set forth in the Software License Agreement. In the event that Customer terminates the agreement, no additional payments, penalties and/or early termination charges shall be required from Customer.

8. **Upgrade Impact on Maintenance Fees.** In the event that, during the term of this agreement, the Licensed Programs are upgraded via purchases of ad-hoc new

software features or via custom programming under a separate written agreement between the parties, that separate written agreement may include fees for software maintenance for that new program code only. Those fees, if applicable, will apply for maintenance during the term of this maintenance agreement, and any Renewal Maintenance Period (as defined above) may be negotiated in good faith to include yearly maintenance fees to include this new, additional software.

9. **Assignment.** Neither party shall assign or in any other manner transfer or convey this Agreement, or any rights, duties, or obligations under this Agreement, without the prior written consent of the other party.

10. **Amendment.** This Agreement may be amended only in a writing signed by both JANO and the Customer.

11. **Applicable Law and Venue.** This Agreement shall be construed in accordance with, and any and all disputes arising out of or in connection with this Agreement shall be governed by, the laws of the State of Illinois, without regard to conflict of laws provisions thereof. In the event any party commences any legal or equitable action or proceeding to enforce the provisions of this Agreement, or to seek damages as a result of the breach of this Agreement, such action or proceeding shall be brought in a state court in the State of Illinois or in the United States District Court for the Northern District of Illinois, and each of the parties hereby expressly consents to the jurisdiction of such courts over themselves and the subject matter of such actions or proceedings.

12. **Relationship of the Parties.** The parties acknowledge and agree that JANO is an independent contractor. The personnel of one party shall not in any way be considered agents or employees of the other. To the extent provided for by law, each party shall be responsible for the acts of its own employees. Each party shall be responsible for Workers' Compensation coverage for its own personnel. Further, JANO represents that it has complied, and warrants that it shall comply, with all federal, state and local laws and regulations regarding business permits and licenses that may be required for its performance under this Agreement and JANO warrants that it shall comply with all applicable laws and regulations in its performance under this Agreement.

13. **Confidentiality of the Customer Information.** JANO acknowledges that it may have access to confidential information of the Customer and its Affiliates because of its access to the Customer's and its Affiliates' records and facilities. JANO shall not use or review any written or verbal information which, by its nature and under the circumstances is confidential, including, but not limited to, information in court files (such as name, addresses, and nature of the matter), and any other information the Customer or its Affiliates deems confidential and notifies JANO of same. JANO shall in no event disclose any information as to which disclosure is prohibited by applicable law. In the event that JANO becomes aware of an unauthorized use, reproduction or disclosure of Customer's confidential data, JANO agrees (a) to promptly notify

Customer of the unauthorized use, reproduction or disclosure and (b) take all steps reasonably necessary to assist Customer in retrieving Customer's data.

14. **Notices.** Any notices given pursuant to this Agreement shall be deemed effective when sent by certified mail or by electronic mail, return receipt requested, to the following:

If to the Customer: Matthew Prochaska
Circuit Clerk of Kendall County, IL
807 W. John Street
Yorkville, IL 60560
mprochaska@co.kendall.il.us

with a copy sent to: Kendall County State's Attorney
807 W. John Street
Yorkville, IL 60560
Fax: (630) 553 - 4204

If to JANO: Vasco Bridges III, CEO
Jano Technologies, Inc.
415 Devonshire
Champaign, IL 61820
Facsimile: (601) 362-7622
Email: vbridges@jano.tech

15. **Severability.** Should any provision of this Agreement be deemed by a court having jurisdiction to be invalid or unenforceable, such provision shall be severed from this Agreement and the remainder of this Agreement shall be deemed valid and enforceable and shall remain in full force and effect.

16. **Waiver.** Any waiver by any party of any breach of any term, covenant or condition of this Agreement shall not be deemed to constitute the waiver of any further breach of such term, covenant or condition or the waiver of any other term, covenant or condition of this Agreement.

17. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties regarding the subject matter hereof. Neither of the parties has made any representation, oral or written, with respect to the subject matter of this Agreement, or any representation inducing the execution and/or delivery of this Agreement, except as specifically set forth or referenced herein. Each of the parties also agrees and acknowledges that it has relied on its own judgment in entering into this Agreement.

18. **Binding Effect.** This Agreement shall inure to the benefit of, and be binding upon, the parties hereto, and their personal representatives, successors and assigns. Each Affiliate of the Customer shall be deemed an express and intended third-party

beneficiary of this Agreement and shall be entitled to assert any claim or suit, or take any other action, to the extent that it shall deem necessary or appropriate to enforce the rights of the Customer hereunder.

19. **Non-Solicitation.** Each party has gone to considerable time, effort, and expense to develop well-trained, experienced, and professional employees, and considers its employees to be an important asset of its organization. Therefore, except with the prior written consent of the other party, neither party shall, during the term of this Agreement and for one (1) year after expiration or termination thereof, solicit, attempt to hire, or hire any current or former employee of the other party, unless such person has not been employed by the other party for a period of at least one (1) year.

20. **Indemnification.** To the extent permitted by law, JANO shall indemnify, hold harmless and defend with counsel of Customer and Kendall County's own choosing, Customer, Kendall County, its past, present and future elected officials, department heads, employees, insurers, and agents (hereinafter collectively referred to as "Releasees") from and against all liability, claims, suits, causes of action, demands, proceedings, set-offs, liens, attachments, debts, expenses, judgments, or other liabilities including costs, reasonable fees and expense of defense, arising from any loss, damage, injury, death, or loss or damage to property, of whatsoever kind or nature as well as for any breach of any covenant in the Agreement or ancillary documents and any breach by JANO of any representations or warranties made within the contract documents (collectively, the "Claims"), to the extent such Claims result from any act or omission, neglect, willful acts, errors, or misconduct of JANO in its performance under this Agreement.

Pursuant to 55 ILCS 5/3-9005, no attorney may be assigned to represent the Releasees pursuant to this Section of the Agreement unless the Kendall County State's Attorney has pre-approved the appointment of the attorney to represent the Releasees. Releasees' participation in its defense shall not remove JANO's duty to indemnify, defend, and hold Releasees harmless, as set forth above. Releasees do not waive their defenses or immunities under the Local Government and Governmental Employees Tort Immunity Act (745 ILCS 10/1 et seq.) by reason of this indemnification provision. Indemnification shall survive the termination of this Agreement.

21. The parties executing this agreement represent and warrant that they have the authority to execute the agreement and the authority to provide the services contained herein.

22. JANO, its officers, employees, and agents agree not to commit unlawful discrimination and agree to comply with all applicable provisions of the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Section 504 of the Federal Rehabilitation Act, and all applicable rules and regulations. JANO, its officers,

employees, subcontractors, and agents shall maintain a written sexual harassment policy that complies with the requirements of 775 ILCS 5/2-105 and shall comply with all fair employment practices and equal employment opportunity/affirmative action requirements set forth in applicable state and federal laws and regulations.

23. All services to be undertaken by JANO shall be carried out by competent and properly trained personnel of JANO to the highest standards and to the satisfaction of Customer. All services, materials and components shall conform to relevant manufacturers' and equipment suppliers' specifications, and all materials and spare parts shall be obtained from the original equipment manufacturers or from suppliers approved by them. No warranties implied or explicit may be waived or denied.

24. This Agreement may be executed in counterparts (including facsimile signatures), each of which shall be deemed to be an original and both of which shall constitute one and the same Agreement.

25. In the event Customer is in default under the Agreement because funds are not appropriated for a fiscal period subsequent to the one in which the Agreement was entered into which are sufficient to satisfy all or part of the Customer's obligations under this Agreement during said fiscal period, the Customer agrees to provide prompt written notice of said occurrence to JANO. In the event of a default due to non-appropriation of funds, JANO and/or Kendall County has the right to terminate the Agreement upon providing thirty (30) days written notice to the other party. No additional payments, penalties and/or early termination charges shall be required upon termination of the Agreement.

26. Neither party will be responsible to the other for damage, loss, injury, or interruption of work if the damage, loss, injury, or interruption of work is caused solely by conditions that are beyond the reasonable control of the parties, and without the intentional misconduct or negligence, of that party (hereinafter referred to as a "force majeure event"). To the extent not within the control of either party, such force majeure events include: acts of God, acts of any governmental authorities, fire, explosions or other casualties, vandalism, and riots or war. A party claiming a force majeure event ("the claiming party") shall promptly notify the other party in writing, describing the nature and estimated duration of the claiming party's inability to perform due to the force majeure event. The cause of such inability to perform will be remedied by the claiming party with all reasonable dispatch.

27. Because this agreement includes access to Customer's computers and records, JANO shall exercise general and overall control of its officers, employees. JANO agrees that no one shall be assigned to perform work at Kendall County's facilities on behalf of JANO, JANO's consultants, subcontractors and their respective officers, employees, agents and assigns unless JANO has completed a criminal background investigation for each individual to be performing work at the site. In the event that the individual's criminal background investigation reveals that the individual has a conviction record that has not been sealed, expunged or

impounded under Section 5.2 of the Criminal Identification Act, JANO agrees that the individual shall not be assigned to perform work on or at Kendall County's facilities absent prior written consent from the Kendall County Clerk of the Court. Kendall County, and the Kendall County Clerk of the Court, at any time, for any reason and in their sole discretion, may require JANO and/or JANO's consultants, and/or subcontractors to remove any individual from performing any further work under this Agreement.

28. JANO certifies that JANO, its parent companies, subsidiaries, and affiliates are not barred from entering into this Agreement as a result of a violation of either 720 ILCS 5/33E-3 or 5/33E-4 (bid rigging or bid rotating) or as a result of a violation of 820 ILCS 130/1 *et seq.* (the Illinois Prevailing Wage Act). JANO further certifies by signing the Contract documents that JANO, its parent companies, subsidiaries, and affiliates have not been convicted of, or are not barred for attempting to rig bids, price-fixing or attempting to fix prices as defined in the Sherman Anti-Trust Act and Clayton Act. 15 U.S.C. § 1 *et seq.*; and has not been convicted of or barred for bribery or attempting to bribe an officer or employee of a unit of state or local government or school district in the State of Illinois in that Officer's or employee's official capacity. Nor has JANO made an admission of guilt of such conduct that is a matter of record, nor has any official, officer, agent, or employee of the company been so convicted nor made such an admission.

29. Both parties affirm no Kendall County officer or elected official has a direct or indirect pecuniary interest in JANO or this Agreement, or, if any Kendall County officer or elected official does have a direct or indirect pecuniary interest in JANO or this Agreement, that interest, and the procedure followed to effectuate this Agreement has and will comply with 50 ILCS 105/3.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date set forth above.

KENDALL COUNTY CIRCUIT CLERK

JANO TECNOLOGIES, INC.

By _____
Hon. Matthew Prochaska
Kendall County Circuit Clerk

By _____
Vasco L. Bridges III ("Nosa")
CEO

Date: _____

Date: _____

By _____
Hon. Stephen Krentz
Presiding Judge

Date: _____

SCHEDULE A
Maintenance and Hosting Fees

The following modules and services are included in the fees below:

Fees for maintaining the following license programs:

CLERICUS MAGNUS Integrated Court Module: Supporting the needs of Customer, including CLERICUS MAGNUS **Child Support Module**. It also includes **enhanced maintenance services** that, in addition to standard JANO support, wherein the JANO team provides services as the System/Application administrator of record, including performing administrative setup as requested by the Customer (new users, codes, documents, accounts/payees) and manages the eFileIL Integration Spreadsheet and all integrated Partner Relationships.

CLERICUS MAGNUS Prosecutor Module (Prosecutor 3 Module): Supporting the needs of the State's Attorney Office.

CLERICUS MAGNUS Public Defender Module (PD2 Module): Supporting the needs of the Public Defender.

Fees for Hosting Services: JANO will use commercially reasonable efforts to provide Cloud Hosting Services outlined in Schedule B, which generally include, but are not limited to, account management and governance support, implementation services, monitoring services, engineering support, network and security services, and disaster recovery support (collectively, "Cloud Hosting Services").

Total Fees for each fiscal year in the term are below:

<u>Due:</u>	Integrated Court	Enhanced Maintenance	Child Support Maintenance	Prosecutor	Public Defender	Cloud Hosting	TOTAL
Fiscal Year 2024	\$46,074	\$11,519	\$17,889	\$11,733	\$2,968	\$65,716	\$155,899
Fiscal Year 2025	\$55,358	\$13,840	\$17,889	\$12,672	\$2,968	\$65,716	\$168,443
Fiscal Year 2026	\$55,358	\$13,840	\$17,889	\$12,672	\$2,968	\$65,716	\$168,443
Fiscal Year 2027	\$55,358	\$13,840	\$17,889	\$12,672	\$2,968	\$65,716	\$168,443
Fiscal Year 2028	\$55,358	\$13,840	\$17,889	\$12,672	\$2,968	\$65,716	\$168,443
Fiscal Year 2029	\$57,019	\$14,255	\$18,426	\$13,052	\$3,057	\$67,688	\$173,497
Fiscal Year 2030	\$58,730	\$14,682	\$18,978	\$13,443	\$3,149	\$69,718	\$178,701
Fiscal Year 2031	\$60,492	\$15,123	\$19,548	\$13,847	\$3,243	\$71,810	\$184,062
Fiscal Year 2032	\$62,306	\$15,577	\$20,134	\$14,262	\$3,341	\$73,964	\$189,584
Fiscal Year 2033	\$64,176	\$16,044	\$20,738	\$14,690	\$3,441	\$76,183	\$195,272
TOTAL							\$1,750,789
Discount							\$30,800
Grand Total							\$1,719,989
120 Equal Monthly Payments Due:							\$14,333.24

SCHEDULE B **CLOUD HOSTING SERVICES**

Description of Cloud Hosting Services:

JANO, through its Subcontractor, will provide Customer with an IBM i Cloud Environment as described more fully below. For those LPARs with disaster recovery, JANO will provide a DR target environment in a geographically distant data center location. Replication will be accomplished using hardware-based SAN-TO-SAN replication. JANO will be responsible for the monitoring, management and administration of the Primary (Production and Dev/Test) LPARs and Disaster Recovery environment.

Governance

Included as part of the Services, JANO will provide you the following governance support:

- **Account Management** – Customer will be assigned an Account Manager who handles any sales, contractual, or billing issues for you, and acts as an ad hoc interface with JANO's support organization.
- **Support Team** – Customer will be assigned a Service Delivery Manager to manage the overall onboarding process, as well as a Client Success Manager who will be responsible for overseeing the support of your technical environment and for interfacing with the entire JANO support organization. Service Delivery Manager will act as single point-of-contact for your organization during the initial stages of the project and work directly with your Primary Contact to coordinate the implementation of JANO's services. JANO's Service Delivery Manager will be responsible to convey all necessary implementation information to JANO's support staff to ensure a smooth initiation of services.
- **Status Meetings** – Depending on your service level, JANO will schedule mutually agreed upon status meetings with your team according to the frequency outlined in the Pricing Assumptions section within the Fee Structure of this Agreement. During the onboarding process and within the first 2 weeks, after Go-Live we may agree to meet more frequently, as jointly defined by our teams. Additional post-onboarding status meetings can be provided at an additional cost.
- **Reporting** – During the onboarding process we will develop mutually agree upon reporting parameters and reporting intervals for your technology platform(s) that we're managing.
- **Advanced Online Customer Support Interface** – JANO will provide your team with an online interface to request support from JANO and to make change management requests. Customer personnel are also able to call JANO's Network Operations Center 24/7/365 as needed. JANO offers a Ticketing API that may be used to integrate our ticketing system to yours. If you require ticketing system integration, we will work together with your team on a separate Statement of Work for that specific effort. Depending on the effort required, additional fees may apply.
- **Environment Documentation** – JANO's Service Delivery Manager will capture all your

monitoring and administration requirements including escalation, call-outs, reporting methods, and status meeting schedules. JANO will provide you templates for use in capturing escalation and procedural runbooks. These templates will be directly used in an internal knowledgebase will be created for JANO's staff to be used to monitor and administer your environment. To minimize response time to alerts and issues, JANO cannot access your documentation residing outside of JANO or its knowledgebase. If necessary, on a Time & Materials basis at the Runbook Documentation Rate, we will work with your team to migrate process documentation (runbooks, escalations, etc.) from your documentation repository to our knowledgebase tool.

- **Support Model** – As a JANO client, you will leverage our enterprise-class infrastructure along with our 24/7 support. Customer's environment will be monitored 24/7 by our Command Center, and any issues will be escalated to the appropriate technology team members. JANO's services do not include dedicated support by a JANO staff member(s) for any period of time in order to review or monitor any jobs, tasks or processes, nor to take any manual actions or perform any manual tasks on your system(s). Should any of these be required, additional fees will apply.
- **Engineering Support** – For the monthly fees included herein, JANO will provide comprehensive 24/7 engineering support for troubleshooting, problem determination and problem resolution related to: A) any hardware and software being provided by JANO or supported by JANO; and B) any managed services being provided by JANO. For any engineering tasks requested by Customer that are outside of A and B above (referred to as "Engineering Requests"), JANO will provide support for Engineering Requests on a best-efforts basis and based upon staff availability at the Operations Support hourly rate outlined in the "ADDITIONAL SUPPORT RATES" table in the "PRICING NOTES" section. Depending on the time commitment required, Engineering Requests may also require a project plan and scope of work to be mutually agreed upon between the Parties.
- **Compliance Audit Support** – On an annual basis, JANO shall provide assistance to your organization in completing security or compliance audits, such as to achieve SOX, PCI, or HIPAA compliance. Activities to be performed by JANO include: A.) assisting with completing questionnaires required by the auditor(s) or the audit protocol; B.) hosting audit meetings at JANO's facilities between your organization (and/or its auditors, customers or prospective customers) and JANO's staff; and C.) providing documentation that is available to JANO, to your organization (or its auditors, customers or prospective customers) necessary to complete the security or compliance audit(s). If your team requires more than one (1) day's onsite visit to JANO annually, additional fees may be required. Customer agrees to provide reasonable notice to JANO when scheduling onsite audit visits, which shall be performed during JANO's normal business hours unless mutually agreed to by the parties in advance.

Implementation Services

As part of the initial implementation of the services, JANO will provide the following:

- **Project Management** – JANO's Service Delivery Manager will work with your team to develop and execute a detailed Implementation plan outlining: Networking, Hardware and
Licensed Program Maintenance and Hosting Services Agreement

Kendall County, Illinois

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Software Installation; Data Migration; and Operations/Administration Process Implementation.

- **Hardware, Virtual Machines & Operating Systems** – JANO will install all hardware, hypervisor software, and operating system software as required.
- **Monitoring** – JANO will install and configure JANO's systems monitoring environment for alerts and alarms of your environment.
- **Migration Services** – We will work with your team to design and implement a custom data and application migration strategy to stay within your defined maintenance downtime windows, using tape-based, software-based and/or appliance-based data migration methods, as required. Extra fees may be required depending on the methodologies and tools that are required for the migration.
- **Backup Environment** – JANO will install and configure backup software, set up back-up and restore procedures, and configure the back-up environment including developing backup scripts if/as needed. The pricing for scripting services is defined in the Pricing Assumptions section within the Fee Structure of this Agreement
- **Disaster Recovery & High-Availability Design (if applicable)** – If listed in the Fee Structure within the Pricing Section, JANO will work with your team to design and implement a custom disaster recovery and/or high-availability solution to meet your requirements as defined in this Agreement.
- **Firewall & VPN** – JANO will install and implement Firewall(s) at JANO's facilities that have site- to-site VPN capabilities. We will work with your team in engineering & implementing a site-to-site VPN connection between your network and our facilities, as needed. We will test the VPN connectivity between the networks.
- **Private Network Circuits** – JANO can provide support to Customer to implement and test a Private Network Circuit, which could include MPLS, SD-WAN, Point-To-Point, or other types of circuits as needed. Should Private Circuits become part of the scope, additional fees will apply for network cross connects as well as data center space for the colocation of any network equipment.
- **Internal Network** – JANO will physically attach all components to the internal network and perform logical & physical configuration of the network and network-related systems. JANO will establish & test connectivity. Customer will be responsible for systems connections and VPN configuration in your location(s).
- **Testing** – JANO will perform integration testing of the entire environment.

Monitoring Services

As part of this Agreement, JANO will monitor and administer your environment(s) through JANO's Command Center Response Team, which is staffed by qualified technicians 24 hours per day, 365 days per

year. The Command Center Response Team is responsible for performing monitoring, troubleshooting, problem determination and problem resolution. In addition, the Command Center Response Team escalates issues to JANO's engineering teams, or to your team, if the severity dictates the need for additional technical resources or for your notification as we have jointly outlined in the Escalation document(s). The following Monitoring Services are included for the fees identified herein:

- **Monitoring** – JANO will provide comprehensive monitoring of your environment including its physical and virtual servers (Virtual Machines/LPARs), storage environment, applications, databases, processes, messages, jobs, log files, Firewall and VPN.
- **Custom Process & Application Monitoring** – JANO can create custom monitoring scripts if required to monitor specific applications, databases, processes or jobs not able to be monitored by JANO's monitoring tool out-of-the-box, as directed by you, on a Time & Materials basis at the Scripting Services Rate outlined in the pricing section.
- **Automated Alert System** – JANO will implement automated notifications of alerts to a pre-determined list of escalation contacts.
- **Capacity Monitoring** – JANO will perform proactive capacity monitoring for CPU, memory, disk & network utilization, and will notify you as potential capacity issues are identified along with recommended actions.
- **Monitoring Service Accounts** – JANO will complete its monitoring and systems administration services using "service accounts" that are defined by JANO, from connections that originate from JANO's managed services network, which is audited annually for PCI, HIPAA, SOC, ISO 27001 and GDPR compliance among other standards.

Administrative Services

- **Comprehensive System Administration** – JANO will provide comprehensive systems administration services for the environments included in this Agreement. This includes: configuring and managing system level services for both physical or partitioned/virtual environments; configuring & managing virtual machine and operating system level security.
- **Comprehensive Customer Environment Support** – JANO's staff will work with your team to ensure that the provided (or managed) environment works properly and will assist you in troubleshooting all your technologies, even components that JANO is not responsible for providing or managing, on a best- efforts basis based upon staff availability.
- **Vendor Management** - JANO will act on your behalf to interface with each technology vendor within your environment, in order to receive vendor maintenance and support. JANO will manage the replacement of failed hardware components.
- **Storage Management** – JANO will provide administration and management of any storage environment we provide or as called out in the pricing section of this Statement of Work.

Engineering Support

Customer can leverage our experienced engineers as part of this Agreement. The following are typical Engineering support tasks included in this engagement. JANO can provide engineering services for any technology we support.

- **Custom Maintenance Windows** – JANO will implement custom change management processes and custom change management windows for software and operating system related changes on mutually agreed upon schedules, although depending on the frequency and number of manual tasks required for change management, additional fees may apply.
- **Managed Change Requests** – JANO and your team will utilize a change management tracking tool provided by JANO to request changes to your environment. In order to ensure changes are made according to the guidelines established by your organization, it is assumed that any changes submitted to JANO are fully vetted and approved by your team in advance and that we will act upon changes that are submitted to us.
- **Managed Roll-back & Recovery** – In concert with your team, JANO will develop roll-back and recovery procedures if any changes implemented do not perform as tested. In the event roll-back and recovery is required, JANO will assist in the roll-back and recovery process.
- **Hardware, Firmware and O/S Patches** – For the monthly fees included herein, JANO will implement hardware, firmware, and O/S patches on mutually agreed upon schedules determined by your team and our team. JANO will perform O/S patching or PTF application (IBM i Operating System patching) as available based upon the version of the Operating System utilized by you.
- **Third-Party Application Support** – JANO does not provide direct support for Third-Party Applications, but can provide infrastructure support, as needed, by you or your Application suppliers. This support will be considered Project-Based Engineer Level Support as defined above.
- **Performance Tuning** – JANO will perform proactive system-level performance tuning as required, to ensure that your environment is operating in an efficient manner.
- **Capacity Increases** – With your prior written approval (via email, a JANO support ticket or an Agreement Addendum), JANO may provide additional system capacity on our Cloud platforms to you to include compute, memory, shared storage, data backup storage, networking, or network bandwidth (the “Additional Capacity”) in order to alleviate a performance or capacity issue your environment is experiencing. Customer agrees that it shall pay for the Additional Capacity, at the prices provided by JANO to you, and the Additional Capacity will be added to your Statement of Work that contains the primary system that is utilizing the Additional Capacity and be coterminous with that Statement of Work. Costs related to capacity increases for backups and retention plans are outlined in the Data Backup section(s) of this Statement of Work.

Network & Security Services

- **Managed Firewalls & VPNs** – JANO will implement and manage Firewalls and VPN

solutions for you. Activities include: creating and modifying custom rule sets; creating and managing DMZs; monitoring Firewalls & VPN devices for errors and alerts; managing VPN connectivity; implementing patches & updates; performing systems administration of Firewall & VPN environments; problem determination, troubleshooting & resolution of critical errors and events.

- **Network Administration & Support** – JANO will setup private VLANs for your environment and ensure network connectivity to and from all components within your environment.
- **DNS Management** – JANO will provide hosting of your DNS (for web-facing environments), as well as provide full support to resolve DNS issues.
- **Load Balancing Support (if applicable)** – If load balancers are listed in the Fee Structure as being part of your environment, JANO will provide implementation and support of load balancing technologies including hardware-based or software-based load balancers as required.
- **Internet Bandwidth** – We provide Fault-tolerant, Fully Meshed, Scalable Tier-1 Internet Bandwidth with backbone providers. Bandwidth billing based on 95th percentile rule, JANO samples (a sample is defined as a data point reflecting bandwidth utilization at a particular instance) bandwidth utilization every 5 minutes and store those samples for a period of one month. At the end of the month, all data samples are sorted from highest to lowest and the top 5% are discarded. The highest remaining data sample will then be referred to as the "95th Percentile" number. This number will then be used as the basis in computing the bandwidth rate for that particular month over the subscribed bandwidth level.
- **24/7 Security Incident Response** – JANO will provide 24/7 Security Incident Response by JANO's Security Operations Center Team (within JANO's Command Center Response Team) to respond to information security events related to your environment.
- **Remote Monitoring Access (if applicable)** – In order for JANO to provide remote monitoring and management for systems located at your locations or any locations outside of JANO's network, a Virtual Private Network (VPN) will be required. Any additional fees required for a VPN will be documented in the Fee Structure herein. Should you require any changes related to JANO's standard authentication and access methods for systems management & monitoring, additional fees may apply.
- **Advanced DDoS Protection for Internet-Facing Systems** – As part of this Agreement, JANO will provide Distributed Denial of Service (DDoS) protection for our customers that have Internet facing systems within their environments that we are hosting within our data centers. This service "scrubs" the DDoS traffic (meaning the attacking traffic) from "Clean" (meaning good, or non-attacking) traffic, and provides customers with 3Mbps of Clean traffic in the event your environment experiences a DDoS attack. At your discretion, JANO can also provide additional Clean traffic above the initial 3Mbps of sustained Clean traffic, for additional fees. JANO's DDoS Protection Service provides targeted protection from high-volume attacks and application attacks without interrupting access to your applications and

Licensed Program Maintenance and Hosting Services Agreement

Kendall County, Illinois

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services, by only blocking DDoS attack traffic. The DDoS Protection Service is positioned at JANO's network edge and prevents DDoS traffic from ever reaching firewalls or Intrusion Prevention Systems (IPS) appliances. JANO's Advanced DDoS Protection service is staffed by DDoS security experts to ensure that the operational availability of your network (within your environment at JANO) is protected.

Disaster Recovery (Dr) Support

The following services will be provided if Disaster Recovery services are being provided as part of this Agreement, as documented in the Fee Structure section of this Agreement.

- **Data Replication** – As listed in the Fee Structure section, JANO will engineer, implement and support platform-specific data replication tools.
- **Disaster Recovery Management** – JANO will perform all failover & data recovery functions for the environment(s) specifically listed in the Fee Structure of this Agreement in the event of a catastrophic loss or disaster.
- **Disaster Recovery Test Frequency** – JANO will participate in up to one (1) DR test upon initial creation of the DR environment (for the entire environment) and up to one (1) DR test each year thereafter (for the entire environment). Each test includes up to 8 hours of engineering and project management. If more than one (1) DR test is required per year, additional fees will apply and will be scheduled at mutually agreed upon dates and times. If Customer wishes to test separate components or applications within their DR environments at different dates and/or times, each test will be considered a separate DR test and additional fees will apply.
- **Network Failover** – JANO will engineer, implement (along with your team) and support custom network failover in the event of a critical failure or disaster.
- **DNS Failover** – JANO will engineer, support and implement (in coordination with your staff) DNS failover in the event of a critical failure or disaster. May include the use of a 3rd party service.

Technology-Specific Support

In addition to the support services listed above, we provide several additional services based on the technologies we have included in this Statement of Work. The Technology specific services we will provide are as follows:

IBM I Specific Services (Hosted)

- **Run Book Documentation** – JANO will provide runbook documentation support on a time and material basis at the hourly rates outlined in the Fee Structure of this Agreement. This support is provided to assist your team in documenting your current automated and manual processes for submitting scheduled and ad-hoc batch jobs in your environment, and/or by migrating your runbooks and documentation to JANO's document repository. JANO's Service Delivery Manager will provide templates for capturing runbook details, any help

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Kendall County, Illinois

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required to migrate data into this format or any time required to create Runbooks will be completed during normal working hours Monday through Friday between 7:00 AM and 7:00 PM Central Time (US). Once documented, we will work cooperatively to create a mutually agreed upon project plan and timeline for JANO to take responsibility for performing the tasks outlined in Customer's Runbooks.

- **Custom Escalation Procedures** – JANO will work jointly with you to create custom escalation procedures for your organization, with unique call-outs based upon scenarios and conditions defined by your team. JANO will provide you with unlimited Automated Escalations per month, and up to the quantity of Manual Escalations per month (escalations that require intervention by a JANO staff member) as defined in the Pricing Assumptions section within the Fee Structure of this Agreement. Additional fees will apply if your environment requires more than the contracted Manual Escalations per month. Automated Escalations are those notifications/messages that can be system-generated and electronically-transmitted (such as email) to a designate of your choosing, notifying them that an issue/event/error has occurred. Manual Escalations are those notification that involve JANO to contact your designate via phone, text or through manually generated email (or other manual activity). The escalations may be informational in nature or may require an activity to be accomplished by someone from your team.
- **IBM i Environment Technology Support** – As listed in the Fee Structure, JANO will provide support for IBM storage products, IBM Power Systems, Virtual Tape Library (VTL) appliances from Dell/EMC Data Domain and Cybernetics, and BRMS data backup and recovery software. Should JANO be required to support any technologies outside of this list, additional fees may apply.
- **IBM i Custom Batch Job Processing** – For the fees listed herein, JANO will provide operational support to include unlimited Automated Batch Job Processing, as well as Manual Batch Job Processing, up to the quantities of Manual Batch Jobs per Logical Partition (LPAR) per 24-hour period as defined in the Pricing Assumptions section within the Fee Structure of this Agreement. Automated Batch Jobs are batch jobs that require no manual intervention by an operator, and Manual Batch Jobs are jobs that an operator must manually start.
- **IBM i Automation Services** – JANO will provide automation services in order to convert manual jobs/processes to automated jobs/processes as defined in this Agreement. JANO shall provide automation tools as part of its IBM i cloud environments, however, if you have provided any IBM i environments which JANO is managing as part of this Agreement, you will need to have licenses for an automation tool approved by JANO on each IBM i environment being managed by JANO, such as IBM's Advanced Job Scheduler or ROBOT Scheduler. JANO shall provide up to the quantity of hours defined in the Pricing Assumptions section within the Fee Structure of this Agreement for automation services during the first 90 days of the Original Term. After the initial 90-day period, or if additional time is required above the contracted hours during the initial 90-day period, these services will be provided at the Automation Services rate outlined in the Fee Structure of this Agreement, or under a project plan and scope of work to be mutually agreed upon between the Parties.
- **IBM i Operating System Upgrades** – JANO will perform Operating System (O/S) version
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Kendall County, Illinois

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upgrades (“O/S Upgrades”) as available for the IBM Power Systems hardware specified within this Agreement (or another mutually agreed upon IBM Power Systems hardware platform) on a schedule jointly agreed by both Parties, and JANO will include one (1) O/S Upgrade per 24-Month period of up to two O/S versions ahead (such as from IBM i version 7.1 to 7.3). Environments that require O/S Upgrades of more than two O/S versions ahead of Customer’s current environment will be performed at an additional cost to Customer, as mutually agreed upon between the Parties. All upgrades will have an agreed upon project plan and defined responsibilities for JANO’s and Customer’s respective teams.

- **IBM i Data Protection (if hosted)** – For the fees listed herein, JANO will monitor and administer full and/or incremental backups to disk utilizing shared Virtual Tape Library (VTL) technology and BRMS backup software using the retention schedule as listed in the Fee Structure in the Pricing Section. JANO will also provide data recovery in the event that data needs to be restored for any data being backed up by JANO as part of this Agreement, or as established during the on-boarding process. Should Customer need additional VTL backup data storage for your retention requirements, JANO will provide it for the fees listed in the Fee Structure within the Pricing Section.
- **IBM i Backup Windows (if hosted)** – Customer’s current backup windows will remain “as is” unless otherwise specified or requested. As mentioned above, backups are to disk utilizing a shared Virtual Tape Library (VTL) technology and BRMS backup software. VTL performance and backup windows can fluctuate due to shared resource contention. Should your backup windows need to be guaranteed, then Flash-Copy backups or a dedicated VTL should be considered, and additional fees will apply.
- **IBM i Off-Site VTL Replication (if applicable)** – If listed in the Fee Structure within the Pricing Section, JANO will provide VTL replication from the primary site to a geographically distant JANO data center. If JANO is providing Disaster Recovery services as part of this Agreement, the alternate JANO data center will be where your Disaster Recovery environment is located. JANO will also provide the backup data replication circuit and intra data center communications to ensure a fully replicated backup environment, for the fees listed within the Fee Structure within the Pricing Section.
- **IBM i Flash-Copy Backups (if applicable)** – If listed in the Fee Structure within the Pricing Section, JANO will back up your environment utilizing Flash-copy backup technology to complete your backups from IBM i Flash-Copy snapshots without bringing your environment down.

Data Center Colocation Services

JANO will provide the following colocation services to you from one (or more) of the JANO data centers:

- **Conditioned Power, Cooling & Datacenter Floor Space** – JANO will provide Data Center Colocation Services to you for the equipment you supply as listed in the Fee Structure below, including 5 kW of conditioned power per 42U rack, cooling to support the equipment installed within each 42U rack, and data center space for each 42U rack.

- **Remote Hands** – JANO will provide remote hands services to your team for tasks that include securing cabling, checking port numbers, observing or reporting indicators on equipment, basic observation of environment, and server re-boots. These services are provided at no additional cost.

Customer Responsibilities

The responsibilities listed in this section are in addition to those responsibilities specified in the Agreement and are to be provided at no charge to JANO. JANO's performance is predicated upon the following responsibilities being managed and fulfilled by Customer:

- **Primary Point of Contact** – Customer will designate a primary point of contact and provide escalation names and procedures for problem management purposes.
- **Runbooks** – Customer will, using the templates provided by JANO, document your runbooks for use by JANO Operations in the administration and escalation of your environment.
- **Procedures** – Customer will provide your environment specific procedures and configurations to JANO to incorporate into the environment runbook using templates provided by JANO. Customer will also work with JANO to migrate any electronic repository of the process documentation into JANO's knowledgebase.
- **Data Migration** – Customer and JANO will mutually determine the best method to migrate the data to the new environment.
- **Architecture Support** – Customer will work with JANO to define Alert Escalations; Data Backup Schedules and Retention Policies; Disaster Recovery Plan(s) if applicable; and any of your other procedures and configurations in support of this Statement of Work.
- **Application and End-User Support** – Customer will provide on-going application support and end user support/ Level 1 Help Desk services.
- **Change Management** – Contact JANO with any change requests using the JANO Portal. All changes submitted to JANO will be approved by your team in advance.
- **IBM i Initial Data Load** – To perform the initial build of your environment you will provide us with a Full System Save (Option 21 or BRMS Full System Save including BRMS Recovery Report) (Option 21) of your environment, via magnetic tape using an LTO4 (or newer) tape format. Unless specified in the Fee Structure section below, should you wish to utilize an additional data migration solution or process, such as doing data replication using MIMIX Move or a MIMIX Global License, additional one-time migration fees and MIMIX Software Rental fees will apply. Should you wish to utilize additional data migration solution or process, such as doing data replication using MIMIX Move, additional one-time migration fees will apply.
- **IBM i Integration Testing** – Customer's team will perform research and integration testing of applications for compliance prior to JANO performing PTF updates.

- **Technical Point of Contact** – Customer shall provide a technical point-of-contact for JANO to provide “remote-hands” support if physical work is needed in order to perform troubleshooting or to make a specified change required by Customer or JANO.

Cloud Hosting Service Fees:¹

IBM i - PRODUCTION ENVIRONMENT

Qty	Description
1	Project Management & Initial Installation Services • Includes All Project Management & Initial Installation Services
1	JANO Provided Networking
2	Virtual Palo Alto VM-50 Firewall - Bundle 1 • IPS / Anti-virus included • Includes installation, configuration, and ongoing management • 250 IPSec VPN tunnels/tunnel interfaces • 200Mbps Throughput • 2 vCPU / 4.5GB RAM / 32GB disk required
1	JANO IBM Cloud LPAR
.7	POWER9 Processor Core(s)
.7	IBM i v7R3 or Higher (per licensed core)
1	All other software provided by Client
60	GB Total Memory
6	TB Shared All-Flash Disk Space with up to 1,000 IOPs Highly-available and Encrypted Storage Space - 16Gb FC Connectivity Requires minimum of 2 x 16Gb FC shared ports per host (included in iCloud)
3	TB Shared VTL Actively replicated to DR facility • Provides restore capability in secondary datacenter* • Encrypted VTL Storage Space - 16Gb FC Connectivity *Note - SLA Typical 4hrs per TB transfer before backups available in secondary DC **Note - Number of TB based on previous month total compressed backup size. Future billing dependent on usage. Usage calculated monthly
4	Shared VTL for long-term retention • Provides long term restore capability in primary datacenter only • Encrypted VTL Storage Space - 16Gb FC Connectivity **Note - Number of TB based on previous month total compressed backup size. Future billing dependent on usage. Usage calculated monthly

¹ These fees will be confirmed prior to execution

Qty	Description
1	IBM i Production LPAR Monitoring and Administration Services

FLASH COPY LPAR PRICES NOT INCLUDED IN TOTALS BELOW

Qty	Description
1	Project Management & Initial Installation Services • Includes All Project Management & Initial Installation Services
1	JANO IBM Cloud LPAR - FLASH COPY LPAR
1	SNAP Backup / Flash Copy LPAR Management Services
.2	Flash Copy - Processor Core(s)
.2	Flash Copy - IBM i v7R3 or Higher (per licensed core)
8	Flash Copy - GB Total Memory
1	Flash Copy - TB Shared All-Flash Disk Space with up to 1,000 IOPs Highly-available and Encrypted Storage Space - 16Gb FC Connectivity Requires minimum of 2 x 16Gb FC shared ports per host (included in iCloud)

IBM i - DISASTER RECOVERY ENVIRONMENT

Qty	Description
1	Project Management & Initial Installation Services • Includes All Project Management & Initial Installation Services
1	Connectria Provided Networking
1	JANO Provided Turnkey MPLS Circuit - 250Mb/s • 250Mb/s circuit between datacenters • Includes required router hardware for each site • (2) JANO provided routers Includes configuration, management, and monitoring
1	Virtual Palo Alto VM-50 Firewall - Bundle 1 • IPS / Anti-virus included • Includes installation, configuration, and ongoing management • 250 IPSec VPN tunnels/tunnel interfaces • 200Mbps Throughput • 2 vCPU / 4.5GB RAM / 32GB disk required
1	JANO IBM Cloud LPAR
.5	POWER9 Processor Core(s)
.5	IBM i O/S - S2S - If / When Needed
48	GB Total Memory
6	TB Shared All-Flash Disk Space with up to 1,000 IOPs Highly-available and Encrypted Storage Space - 16Gb FC Connectivity Requires minimum of 2 x 16Gb FC shared ports per host (included in iCloud)
1	SAN to SAN Replication (per LPAR) Includes Configuration, Monitoring & Administration

CONNECTRIA DISASTER RECOVERY TESTING SERVICES (IBM	
Data Restore Test (1 Test Included Per Year)	INCLUDED
Each Additional Data Restore Test	\$1100/DAY
Declaration of Disaster - Support For Failover to DR Environment	INCLUDED



DESCRIPTION	HOURLY RATES
<u>ADDITIONAL SUPPORT RATES</u>	
Operations Support rate:	\$150 / Hour
Runbook Documentation rate:	\$150 / Hour
Engineering Support rate (7AM - 7PM CT, M-F):	\$195 / Hour
Engineering Support rate (all other times):	\$245 / Hour
Scripting & Automation Support rate:	\$195 / Hour

COUNTY OF KENDALL, ILLINOIS
ORDINANCE # 2023-_____

ORDINANCE TO AMEND THE COUNTY RECORDING FEE SCHEDULE
FOR STATE INCREASE TO THE RENTAL HOUSING SUPPORT
PROGRAM SURCHARGE

WHEREAS, the Illinois General Assembly has enacted Public Act 102-1135 (HB3878) effective July 1, 2023, amending Sections 3/5018 and 3/5018.1 of the Counties Code (55 ILCS 5/3-5018 and 5/3-5018.1) to require the Recorder to increase the Rental Housing Support Program “RHSP” surcharge for the recordation of any real estate related document from nine dollars (\$9.00) to eighteen dollars (\$18.00); and

WHEREAS, under both the traditional fee and the predictable fee schedules provided for under Sections 3/5018 and 3/5018.1 of the Counties Code, the Kendall County Recorder currently collects a nine dollars (\$9.00) Rental Housing Support Program State surcharge fee for the recordation of any real estate related document, and it is submitted monthly to the Department of Revenue for deposit in the Rental Housing Support Program Fund; and

WHEREAS, the County Board may, by ordinance, increase the RHSP fee to eighteen dollars (\$18.00), as required by Sections 3/5018 and 3/5018.1 and collect such increased fees for the recordation of any real estate related document; and

WHEREAS, the Kendall County Recording Fee Schedule, needs amending to reflect the RHSP fee increase to eighteen dollars (\$18.00) that will become effective on July 1, 2023.

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board approves the Recorder charging a RHSP surcharge fee in the amount of eighteen dollars (\$18.00) except no such fee shall be collected from any State agency, any unit of local government or any school district; and

IT IS FURTHER ORDAINED, that the increase in the amount of RHSP fee charged for the recordation of any real estate related document shall take effect on July 1, 2023; and

IT IS FURTHER ORDAINED, that the Kendall County Recording Fee Schedule shall be amended to read as set forth in Exhibit A attached to this Ordinance, effective on July 1, 2023; and

IN WITNESS OF, this Ordinance has been approved by a majority vote of the Kendall County Board members present for said vote on this 16th day of May, 2023.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matthew Kellogg

Kendall County Recorder

**111 W Fox St, Yorkville IL 60560
Phone 630-553-4112 Fax 630-553-5283**

FEE SCHEDULE

Effective 07/01/2023 per 55 ILCS 5/3-5018 and 5/3-5018.1

PRESENT AND ACCEPT ONLY ORIGINALS OR CERTIFIED COPIES FOR RECORDING

STANDARD DOCUMENTS (any document other than nonstandard) \$76.00

- (1)** Deeds. Inclusion of language in the deed as to any restriction; covenant; lien; oil, gas, or other mineral interest; easement; lease; or a mortgage shall not alter the classification of a document as a deed.
- (2)** Leases, lease amendments, and similar transfer of interest documents.
- (3)** Mortgages, including assignments, extensions, amendments, subordinations, and mortgage releases
- (4)** Easements not otherwise part of another classification, including assignments, extensions, amendments, and easement releases not filed by a State agency, unit of local government, or school district
- (5)** Miscellaneous documents not otherwise falling within classifications set forth in paragraphs (1) through (4) and are not nonstandard documents. Nothing in this subsection shall preclude an alternate predictable fee schedule for electronic recording within each of the classifications set forth in this subsection (c). If the Rental Housing Support Program State surcharge is amended and the surcharge is increased or lowered, the aggregate amount of the document flat fee attributable to the surcharge in the document may be changed accordingly.

NONSTANDARD DOCUMENTS

- (1)** a document that creates a division of a then active existing tax parcel identification number;
- (2)** a document recorded pursuant to the Uniform Commercial Code; see following UCC Pricing Section
- (3)** a document which is non-conforming, as described in paragraphs (1) through (5) of Section 3-5018; fee of \$12.00 will be added
- (4)** a State lien or a federal lien
- (5)** a document making specific reference to more than 5 tax parcel identification numbers in the county in which it is presented for recording; fee of \$1.00 per additional parcel
- (6)** a document making specific reference to more than 5 other document numbers recorded in the county in which it is presented for recording; fee of \$1.00 per additional document

Plat (Subdivisions, etc.) (Maximum 24" x 36") Submit original & 3 copies. \$110.00 ea
Additional plat pages \$1.00 ea

Plat (Condominium) (maximum 24" x 36") Submit original & 1 copies \$110.00 ea
Additional plat pages \$1.00 ea

Plat of Annexations (maximum 24" x 36") Submit original & 1 copies \$110.00 ea
Additional plat pages \$1.00 ea

Uniform Commercial Code (UCC)

(Standard forms approved by Illinois Secretary of State include UCC-1, UCC-2, & UCC-3)

Financing Statement	\$65.00 ea
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Continuation or Amendment	\$65.00 ea
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Termination Statement (810 ILCS 5/9-404.5)	\$5.00 ea
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UCC Copy per page	\$0.50 ea
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Certified Copy

\$27.00 ea

Additional pages after the first four pages	\$1.00 ea
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Photo Copies per Page

\$0.50 ea

Plat Copies per Page

\$5.00 ea

Military Discharge

Recordation No Charge

Certified Copies No Charge to Veteran or Immediate Family

STANDARD REQUIREMENTS FOR DOCUMENTS

Public Act 87-1197 Amended by Public Act 89-0160

- The document shall be legibly printed in **BLACK** ink, by hand, type or computer generated in at least 10-point type. Signatures and dates may be in **black** or **blue** ink.
- The document shall be on white paper measuring 8 ½ x 11" not permanently bound and not a continuous form, of not less than 20-pound weight and shall have a clean margin of at least ½ inch on the top, bottom, and sides. Margins may be used for non-essential notations which may be, be not limited to, form number, page number, and customer notations.
- The first page shall contain a blank space, measuring at least 3"x 5", in the upper right corner.
- The document shall not have **any** attachments stapled or otherwise affixed to any page.

A SELF-ADDRESSED STAMPED ENVELOPE IS *REQUIRED*

TO RETURN YOUR DOCUMENTS TO YOU. INCLUDE 2 IF YOU ARE REQUESTING COPIES.

Fees to “Re-record” are the original fees less the \$19.00 RHSP fee.

****The law allows the Recorder's Office to double recording charges if not conforming to 1995 regulations****

[illegible]

The Recorder's Office provides **NO LEGAL ADVICE**. Please contact an attorney with any legal questions.

The Recorder's Office provides **NO DOCUMENT SEARCH SERVICES**. Please contact a title search company if you are unable to search our records that are open to the Public.

KENDALL COUNTY SHERIFF'S OFFICE

MONTH-END REPORT



APRIL

2023

Submitted by: Sheriff Dwight A. Baird

OPERATIONS DIVISION

POLICE SERVICES	April-21	April-22	March-23	April-23
Calls for Service	651	678	654	685
Police Reports	290	349	332	308
Total Arrests	44	135	125	101
Ordinance Citations Issued	2	5	0	1
TRAFFIC SERVICES				
Traffic Contacts	226	646	499	564
Traffic Citations Issued	104	261	266	231
DUI Arrests	8	10	8	7
TRAFFIC CRASH INVESTIGATIONS				
Property Damage	13	34	38	38
Personal Injury	26	5	9	9
Fatalities	0	0	0	0
TOTAL CRASH INVESTIGATIONS	39	39	47	47
VEHICLE USAGE				
Total Miles Driven by Sheriff's Office	44,637	53,180	56,545	52,761
Vehicle Maintenance Expenditures	\$4,408	\$2,651	\$4,292	\$3,091
Fuel Expenditures	\$10,042	\$15,601	\$13,481	\$13,751
Fuel Gallons Purchased	3,681	4,017	4,175	3,967
Squad Damage Reports	0	0	1	0
AUXILIARY DEPUTIES				
Ride-A-Long Hours	0	0	5	0
Auxiliary Hours	128	23	103	25
TOTAL AUXILIARY HOURS	128	23	107	25
EVIDENCE/PROPERTY ROOM				
New Items into Property Room	122	102	117	115
Disposal Orders Processed	22	37	36	28
Items Disposed Of	176	219	330	164
Items Sent to Crime Lab for Processing	3	8	33	32
Pounds of Prescription Meds Collected from Drop Box	11	13	9	4
INVESTIGATIONS/COPS ACTIVITIES				
Total Assigned Cases (Patrol/Invest)	39	15	42	20
Total Closed Cases (Patrol/Invest)	55	29	25	28
Total Open Cases (Patrol/Invest)	108	91	113	105
Community Policing Meetings/Presentations	30	26	35	23
Sex Offender / Violent Offenders Against Youth Registrations				
Sex Offender Registrations	10	11	11	10
Sex Offender - Address Verifications Completed	2	7	0	0
Sex Offender - Address Verification Attempted	2	28	0	0
Total # of Sex Offenders- Jurisdiction	30	28	30	30
Total # of Sex Offenders- Entire County	82	82	88	87
Violent Offenders Against Youth Registrations	0	1	0	2
VOAY - Address Verification Completed	0	3	0	0
VOAY - Address Verification Attempted	0	8	0	0
Total # of VOAY- Entire County	23	23	26	26

RECORDS DIVISION

SHERIFF SALES	April-21	April-22	March-23	April-23
Sales Scheduled	1	9	9	10
Sales Cancelled	0	5	4	8
Sales Conducted	1	4	5	2
CIVIL PAPERWORK				
Papers Filed/Received	191	150	284	162
Papers Served/Executed	147	91	205	131
REPLEVINS/LEVY				
Replevin/Levy Scheduled	0	0	0	0
Replevin/Levy Conducted	0	0	0	0
SA, SUBPOENA & FOIA REQUESTS				
Electronic and Recording Copy Requests	74	78	99	77
Accident Reports	18	19	13	13
Background Checks	18	32	43	22
Incidents	63	78	74	64
Subpoenas	6	4	1	7
TOTAL REQUESTS	179	211	230	183
WARRANTS				
Total Warrants on File	1,720	1,707	1,581	1,542
New Warrants Issued	131	121	169	115
Total Warrants Served	86	112	127	132
Warrants Quashed	41	27	33	22
EVICCTIONS				
Evictions Scheduled for Month	0	14	13	11
Evictions Cancelled	0	9	7	1
Evictions Conducted	0	5	6	10
FEES				
Civil Process Fees	\$2,113	\$4,418	\$11,137	\$6,679
Sheriff Sales Fees	\$2,400	\$1,200	\$2,100	\$600
Records Fees/Fingerprinting	\$340	\$237	\$80	\$120
Bond Processing Fees	\$1,904	\$1,724	\$1,700	\$2,539
TOTAL FEES COLLECTED	\$6,757	\$7,578	\$15,017	\$9,937

CORRECTIONS DIVISION

JAIL POPULATION				
New Intake Bookings	174	205	211	205
Inmates Released	172	217	174	190
Federal Inmate ADP	58	60	17	16
Kendall County Inmate ADP	63	79	76	71
Other Jurisdictions Inmate ADP	24	9	4	4
Average Daily Population	147	148	97	91
ADP of inmates housed in other Jurisdictions			17	11
JAIL MEALS				
Number of Meals Prepared Consolidated/Aramark	12,506	12,977	8,738	7,915
Price Per Meal	\$1.33	\$1.38	\$2.84	\$3.07

INMATE TRANSPORTS	April-21	April-22	March-23	April-23
To and From Kendall County Courthouse	16	30	39	60
Other County Court Transports	1	3	5	2
Out of County Prisoner Pickups	8	6	10	10
To I.D.O.C	3	1	3	2
Medical/Dental Transports	4	11	14	5
Court ordered medical transports	0	2	1	1
Juvenile To and From Youth Homes/Courts	1	13	8	18
Federal Transports	8	7	5	5
To and From Kane County Jail			25	21
TOTAL INMATE TRANSPORTS	41	73	110	124

INMATE WORK CREWS				
Number of Inmates	0	4	0	0
Number of Locations	0	1	0	0
Total Hours Worked	0	8	0	0

REVENUE				
Amount Invoiced for Inmates Housed for Other Juris.	\$56,530	\$19,390	\$2,170	\$3,235
Amount Invoiced for Federal Housing	\$137,760	\$144,720	\$42,160	\$39,360
Amount Invoiced for Federal Court Transport	\$1,229	\$1,844	\$1,789	\$1,287
Amount Invoiced for Federal Medical Transport	\$1,207	\$379	\$1,051	\$524
TOTAL INVOICED	\$196,725	\$166,333	\$47,170	\$44,406

MEDICAL BILLING	April-21	April-22	March-23	April-23
Medical Contractual Services	\$20,255	\$20,809	\$25,334	\$21,917
Prescriptions	\$10,605	\$6,745	\$1,270	\$2,587
Medical	\$119	\$1,345	\$1,707	\$1,353
Dental	\$0	\$0	\$0	\$109
Emergency Medical Services	\$0	\$471	\$126	\$0
Medical Supplies	\$0	\$723	\$407	\$65
TOTAL MEDICAL BILLING	\$30,978	\$30,093	\$28,844	\$26,030

Housing Expense				
Kane County Jail			\$24,440	\$31,275
TOTAL HOUSING EXPENSE				

Outstanding FTA Fees				
FTA Fees- Outstanding	\$75	\$450	\$600	\$900

COURT SECURITY				
Entries	9,482	9,630	10,982	10,290
Items X-rayed	2,928	3,952	4,776	4,529
Bond Call - In Person	0	7	8	8
Bond Call - Video	54	44	53	53
Kendall Prisoners	89	59	65	71
Other Prisoners	3	7	22	13
Arrests made at Courthouse	21	31	22	25
Contraband Refused	64	58	61	56

ELECTRONIC HOME MONITORING

TOTAL DEFENDANTS ORDERED TO EHM				
Juvenile	8	12	3	6
Adult	51	62	68	67
TOTAL PARTICIPANTS	59	74	71	73

Orders		April-21	April-22	March-23	April-23
Presentenced		41	58	69	70
Bischof		29	39	32	30
Post Sentenced		5	4	2	3
Days Defendants Served on EHM					
Juvenile		213	251	63	121
Adult		1,223	1,703	1,986	1,888
TOTAL DAYS		1,436	1,954	2,049	2,009
EHM VIOLATIONS					
Juvenile		3	1	3	1
Adult		0	18	6	7
TOTAL VIOLATIONS		3	19	9	8
COST vs. COLLECTIONS					
Cost		\$3,777	\$5,218	\$5,389	\$5,284
Collected		\$1,730	\$3,550	\$1,376	\$1,968
KCSO TRAINING					
CORRECTIONS DIVISION					
NATURE OF TRAINING					
16-Hour Handcuffing Instructor Course					16
40-Hour Basic Crisis Negotiations					40
40-Hour Firearms Instructor					40
Annual Mandatory Firearms Quals					75
Bond Procedures					30
Conflict & Dispute Resolution					14
Cultural Awareness & Diversity					8
Ground Fighting Control Tactics: Escaping Grips & Grabs					8
Ground Fighting Control Tactics: The Side Control Position					8
Intake Screening Tools					40
Lexipol DTB's					17.25
Objective Jail Classification: Assessing Inmate Risk & Needs					3
Off Duty Qualification					17
Officer Wellness & Fitness					8
Understanding Anxiety, OCD, PTSD					13
TOTAL HOURS		227	188	338	329
OPERATIONS DIVISION					
NATURE OF TRAINING					
100 Club of Illinois					98
40-Hour Firearms Instructor					40
Advanced Sexual Assault Investigations					8
Annual Shotgun Quals					112
Basic Patrol Academy-640 Hours					1,920
Child Maltreatment & Child Sexual Abuse					8
CourtSmart					10.5
Hazardous Waste Ops/Emergency Response					24
Identity Protection Act					3
International Conference on Sexual Assault, Domestic					24
IS-100 Introduction to Incident Command					4
IS-200 Basic Incident Command System for Initial Response					4
Kendall County SAO Anti-Harassment Video					3
LEADS Re-Cert					3
Lexipol DTB's					23.25
Policy 315					1
PREA: Your Role Responding to Sexual Abuse					2

Rifle Qualification				2
Roll Call Training				3.75
To Pursue or Not? Strategies to Mitigate Risk				1.5
TOTAL HOURS	421	540	609	2,295
COURT SECURITY	April-21	April-22	March-23	April-23
NATURE OF TRAINING				
Annual Mandatory Firearms Quals				15
Conflict & Dispute Resolution				5
CourtSmart				3
Lexipol DTB's				5.25
Off Duty Qual				2
Understanding Anxiety, OCD, PTSD				5
TOTAL HOURS	34	76	65	35
ADMINISTRATION DIVISION				
NATURE OF TRAINING				
100 Club of Illinois				3.5
Identity Protection Act				1
Intro to OSHA				1.5
TOTAL HOURS	4	2	8.75	6
AUXILIARY				
NATURE OF TRAINING				
Lexipol			5	17.5
TOTAL HOURS	0	0	64	18
PART TIMERS				
NATURE OF TRAINING				
Annual Firearms Qualification				12
CourtSmart				2.5
Identity Protection Act				0.25
Lexipol DTB's				6.75
Off Duty Qualification				2
TOTAL HOURS	0	41	11	24

Kendall County Clerk				
Revenue Report		4/1/23-4/30/23	4/1/22-4/30/22	4/1/21-4/30/21
Line Item	Fund			Revenue
CLKFEE	County Clerk Fees	\$467.50	\$821.50	\$1,337.00
MARFEE	County Clerk Fees - Marriage License	\$1,020.00	\$1,140.00	\$1,560.00
CIVFEE	County Clerk Fees - Civil Union	\$30.00	\$0.00	\$0.00
ASSUME	County Clerk Fees - Assumed Name	\$35.00	\$45.00	\$50.00
CRTCOP	County Clerk Fees - Certified Copy	\$1,500.00	\$1,200.00	\$1,884.00
NOTARY	County Clerk Fees - Notary	\$0.00	\$310.00	\$380.00
MISINC	County Clerk Fees - Misc	\$51.02	\$52.02	\$225.58
	County Clerk Fees - Misc Total	\$3,103.52	\$3,568.52	\$5,436.58
RECFEE	County Clerk Fees - Recording	\$17,271.00	\$29,115.00	\$45,345.00
	Total County Clerk Fees	\$20,374.52	\$32,683.52	\$50,781.58
CTYREV	County Revenue	\$37,036.50	\$57,681.25	\$55,540.00
DCSTOR	Doc Storage	\$9,929.50	\$17,087.50	\$26,708.00
GISMAP	GIS Mapping	\$31,506.00	\$54,186.00	\$84,570.00
GISRCD	GIS Recording	\$2,100.00	\$3,612.00	\$5,638.00
INTRST	Interest	\$108.60	\$29.76	\$37.17
RECMIS	Recorder's Misc	\$855.50	\$633.00	\$7,314.25
RHSP	RHSP/Housing Surcharge	\$8,415.00	\$14,787.00	\$24,066.00
TAXCRT	Tax Certificate Fee	\$1,200.00	\$1,520.00	\$1,760.00
TAXFEE	Tax Sale Fees	\$0.00	\$148.00	\$100.00
PSTFEE	Postage Fees	\$0.00	\$0.00	\$70.20
CK # 19666	To KC Treasurer	\$111,525.62	\$182,368.03	\$256,585.20
Death Certificate Surcharge sent from Clerk's office \$1372.00 ck # 19664				
Dom Viol Fund sent from Clerk's office \$175.00 ck 19665				

Office of Jill Ferko

Kendall County Treasurer & Collector
111 W. Fox Street Yorkville, IL 60560

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES FOR FIVE MONTHS ENDED 04/30/2023

<u>REVENUES*</u>	Annual <u>Budget</u>	2023 YTD <u>Actual</u>	2023 YTD% <u>%</u>	2022 YTD <u>Actual</u>	2022 YTD <u>%</u>
Personal Property Repl. Tax	\$915,000	\$444,826	48.61%	\$517,770	111.35%
State Income Tax	\$3,158,685	\$1,338,062	42.36%	\$1,373,056	53.34%
Local Use Tax	\$760,000	\$296,043	38.95%	\$285,125	30.01%
State Sales Tax	\$650,000	\$255,197	39.26%	\$209,516	35.94%
County Clerk Fees	\$350,000	\$109,610	31.32%	\$148,178	42.34%
Circuit Clerk Fees	\$1,050,000	\$474,826	45.22%	\$415,085	33.21%
Fines & Foreits/St Atty.	\$250,000	\$153,115	61.25%	\$94,482	34.36%
Building and Zoning	\$80,000	\$31,145	38.93%	\$50,895	67.86%
Interest Income	\$75,000	\$458,619	611.49%	\$16,686	41.72%
Health Insurance - Empl. Ded.	\$1,488,365	\$536,589	36.05%	\$502,313	31.62%
1/4 Cent Sales Tax	\$3,228,750	\$1,154,791	35.77%	\$1,095,015	33.91%
County Real Estate Transf Tax	\$450,000	\$152,683	33.93%	\$158,431	35.21%
Federal Inmate Revenue	\$584,000	\$122,960	21.05%	\$627,600	33.07%
Sheriff Fees	\$113,663	\$42,858	37.71%	\$37,178	32.33%
TOTALS	\$13,153,463	\$5,571,324	42.36%	\$5,531,330	39.96%
Public Safety Sales Tax	\$7,500,000	\$2,169,100	28.92%	\$2,181,951	39.58%
Transportation Sales Tax	\$7,500,000	\$2,169,100	28.92%	\$2,181,951	36.37%

****All Accruals have been completed at this time. So these figures are where we currently stand for FY2023**

*Includes major revenue line items excluding real estate taxes which are
to be collected later. To be on Budget after 4 months the revenue and expense should at 41.65%

EXPENDITURES

All General Fund Offices/Categories

\$28,296,196	\$9,330,316	32.97%	\$9,351,885	31.15%
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2023 Judicial Statistics

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD	Y/Y	Graphic
AD Adoption	1	1	2	3									7	-1	
CA Court Administration	5	0	0	0									5	4	
CC Contempt of Court	0	2	0	1									3	-4	
CF Criminal Felony	31	48	52	36									167	16	
CH Chancery	3	1	3	0									7	4	
CL Civil Law Vilolation	0	0	0	0									0	-2	
CM Criminal Misdemeanor	31	27	35	18									111	23	
CV Conservation Violation	0	0	0	4									4	2	
DC Dissolution with Children	16	22	29	14									81	-1	
DN Dissolution without Children	10	12	21	15									58	5	
DT DUI	25	20	25	19									89	2	
DV Domestic Violence	25	9	16	16									66	8	
ED Eminent Domain	1	0	0	0									1	-3	
EV Eviction	46	54	69	23									192	72	
FA Family	7	15	20	2									44	-41	
FC Foreclosures	28	25	26	33									112	33	
GR Guardianships	2	4	11	6									23	-5	
JV Juvenile	1	0	0	1									2	2	
JA Juvenile Abuse/Neglect	12	9	7	2									30	10	
JD Juvenile Delinquency	11	9	15	20									55	0	
LA Law	9	13	9	6									37	-1	
LM Law Magistrate	14	20	26	22									82	1	
MH Mental Health	1	1	0	0									2	-1	
MR Misc. Remedy	9	3	4	11									27	-1	
MT Major Traffic	158	150	181	134									623	202	
MX Misc Criminal	24	9	49	10									92	30	
OP Order of Protection	45	23	52	25									145	22	
OV Ordinance Violation	0	0	0	1									1	-6	
PR Probate	8	6	10	8									32	-9	
QC Quasi Criminal	0	0	0	0									0	0	
SC Small Claims	92	127	105	139									463	78	
TR Traffic	293	343	405	345									1386	41	
TX Tax	5	5	6	5									21	-1	
WI Wills	17	12	20	21									70	3	
XX Misc	5	0	0	1									6	3	
	935	970	1198	941	0	0	0	0	0	0	0	0	4044	485	
Totals for 2022	848	764	1006	941	892	945	976	965	920	872	846	730	10705		

Office of the Kendall County Coroner

Monthly Report April 2023

* There were 49.5 hours of community service time served during the month of April.

April 22, 2023 - DEA Takeback Event

Total Medication Takeback: 161 pounds (Including RX & OTC Pills, Liquids)

Total Medication Disposal: 5 pounds (Aerosols (Inhalers, Etc.))

Total Used Sharps: 23 pounds

Clean Sharps/Medications: 16 pounds (Epi-Pens, Etc.)

For DONATION

Diabetic Insulin Injectables: 7 pounds

Diabetic Supplies: 8 pounds (Including: Lancets, Meters, Syringes, Etc.)

TOTAL: 220 pounds of items removed from the community

April 27, 2023 - Deputy McCarron attended the Triad Resource Fair

Deaths Report to the M.E.		Deaths Investigations	
April 2023	29	April 2023	5
YTD	135	YTD	25

MEI Scene Investigations		Postmortem Examinations	
April 2023	3	April 2023	1
YTD	21	YTD	10

Manner of Death						
	Natural	Accident	Suicide	Homicide	Indeterminate	Pending
April 2023	28	0	1	0	0	0
YTD	124	6	4	1	0	0

Cremation Permits Issued	
April 2023	14
YTD	83

Case Number	MOD	COD	DOB	DOD	Autopsy	Scene
2023-0107	Natural	Dementia-Alzheimers	11-27-1935	04-03-2023	None	No
2023-0108	Natural	Renal Disease	08-11-1929	04-03-2023	None	No
2023-0109	Natural	Cardiac-ASCVD-IHD and Hypertension	07-05-1972	04-03-2023	Full	Yes
2023-0110	Suicide	Gun-Handgun	06-03-1960	04-03-2023	None	Yes
2023-0111	Natural	Neoplasm	08-31-1945	04-06-2023	None	No
2023-0112	Natural	Neoplasm	04-25-1954	04-07-2023	None	No
2023-0113	Natural	Neoplasm	10-25-1961	04-07-2023	None	No
2023-0114	Natural	Pulmonary	12-11-1947	04-08-2023	None	No
2023-0115	Natural	Cardiac-Cardiomyopathy	05-26-1940	04-11-2023	None	No
2023-0116	Natural	Neoplasm	08-29-1967	04-11-2023	None	No
2023-0117	Natural	Cardiac	02-22-1943	04-13-2023	None	No
2023-0118	Natural	Nervous System	11-24-1941	04-16-2023	None	No
2023-0119	Natural	Nervous System- Stroke	03-03-1926	04-17-2023	None	No
2023-0120	Natural	Neoplasm	12-15-1946	04-17-2023	None	No
2023-0121	Natural	Dementia-Alzheimers	05-11-1940	04-18-2023	None	No
2023-0122	Natural	Pulmonary	02-01-1933	04-19-2023	None	No
2023-0123	Natural	GI Tract Disease	12-28-1930	04-21-2023	None	No
2023-0124	Natural	Diabetes	04-12-1927	04-22-2023	None	No
2023-0125	Natural	Neoplasm	07-28-1951	04-24-2023	None	No
2023-0126	Natural	GI-Obstruction	11-14-1936	04-24-2023	None	No
2023-0127	Natural	Dementia-Alzheimers	03-29-1939	04-25-2023	None	No
2023-0128	Natural	Neoplasm	10-22-1934	04-26-2023	None	No
2023-0129	Natural	Pulmonary	06-21-1928	04-27-2023	None	No
2023-0130	Natural	Dementia-Alzheimers	11-23-1930	04-28-2023	None	No
2023-0131	Natural	Neoplasm	06-01-1973	04-29-2023	None	No
2023-0132	Natural	Dementia-Alzheimers	08-25-1938	04-29-2023	None	No
2023-0133	Natural	Dementia-Alzheimers	06-06-1934	04-30-2023	None	No
2023-0134	Natural	Dementia-Alzheimers	10-17-1935	04-30-2023	None	No
2023-0135	Natural	Cardiac-Infarct NOS	01-18-1950	04-30-2023	None	Yes

PROPOSED REVISION TO THE BELOW SECTION OF KENDALL COUNTY EMPLOYEE HANDBOOK

Section 7.7 INSURANCE BENEFITS

Kendall County provides life insurance, accidental death and dismemberment insurance, medical and hospitalization insurance, dental insurance, and vision insurance to eligible employees of the Employer. Plan documents for specific benefits are available through Kendall County's benefits administrator. Dependent coverage at group rates is available. Temporary or regular part-time employees, interns, volunteers, and independent contractors are not eligible for these insurance benefits, except those grandfathered under previous policy of Kendall County or as otherwise provided by law.

To be eligible for medical and hospitalization insurance, an eligible employee must consistently work a minimum of thirty (30) hours per week.

At the employee's option, the employee may elect coverage through any one of the applicable health insurance plans made available by the Employer. An employee will have up to thirty (30) days from the start of your employment to make their health insurance plan election. Once made, the employee's election is generally fixed for the remainder of the plan year. However, if a qualifying event (as defined under COBRA) occurs, an employee may make a mid-year change in coverage.

One type of health insurance plan the Employer may choose to offer in any given plan year is a high deductible health plan with a health savings account option ("HDHP-HSA" plan). If the Employer chooses to offer this type of health insurance plan in a given plan year, the Employer may also choose to contribute monies into eligible employees' health savings account in an amount and disbursement date(s) set by the County Board, subject to applicable federal and state laws and collective bargaining agreement(s).

If an employee enrolled in such a HDHP-HSA plan receives a contribution to their health savings account from their Employer and, then, voluntarily terminates their coverage under said plan mid-year while continuing to remain an active employee, the employee will not be eligible to receive any subsequent health savings account contributions from the Employer for the next two (2) subsequent plan years, unless the employee has obtained a waiver for good cause shown (as explained below) or unless otherwise waived pursuant to an applicable law, regulation, and/or collective bargaining agreement(s).

To obtain a waiver, the employee must submit a written request to the Kendall County Human Resources and Insurance Committee ("HR Committee") within sixty (60) calendar days after the employee voluntarily terminated their coverage mid-plan year. The employee's written request must explain why good cause exists for the HR Committee to waive the two (2) year period referenced above. Upon receipt of such a written request, the HR Committee will review the employee's request and make a final determination as to whether good cause exists to waive the two (2) year period.

Health insurance coverage shall commence thirty (30) calendar days following the employee's starting date of employment and shall cease on the last day of the month in which any of the following events occur: the employee's final day of employment; when regularly scheduled hours are reduced below 30 hours per week; or upon another "qualifying event" as defined under the Consolidated Omnibus Budget Reconciliation Act ("COBRA").

Summary plan descriptions (SPDs) which explain coverage of eligible health, dental, vision and life insurance benefits in greater detail are available through Kendall County's benefits administrator. The actual plan documents are the final authority in all matters relating to benefits described in this Employee Handbook or in the summary plan descriptions and will govern in the event of any conflict. and the Employer and the County Board reserve the right to change insurance carriers, change health maintenance organizations, self-insure, and/or change or eliminate any benefits at any time, provided such changes are made in accordance with applicable law

If an eligible employee would otherwise lose group coverage because of a qualifying event as defined by applicable law, the employee and/or qualifying dependents may be eligible to continue such coverage under the Employer's plan for such period of time as prescribed by law and applicable plan documents. The Employer will notify the employee of the time period for which continuation coverage may be provided, depending upon the employee's qualifying event.

TITLE: County Administrator
DEPARTMENT: Administration
REPORTS TO: Kendall County Board
FLSA STATUS: Exempt
UNION STATUS: Non-Union
APPROVED: October 20, 2020 (revised – in process)

I. Position Summary:

The County Administrator, subject to the direction of the County Board, is the chief administrator of Kendall County, Illinois ("County"). The County Administrator manages and provides oversight of County departments, committees, legislative, and fiscal matters. The County Administrator acts as the Kendall County Board's liaison regarding the coordination and management of policy initiatives, operational issues, and strategic plan within the daily operations of the County. The Kendall County Board ("County Board") provides administrative direction to the County Administrator.

II. Essential Duties and Responsibilities:

- A.** Primary duty is to manage and provide oversight of County departments in accordance with the County's organizational policies, goals, and budget parameters.
- B.** At the direction of the County Board, serves as "acting" department head, on an interim basis, for the applicable County department in the event the department head is unable to fulfill their essential job duties and, on an interim basis, is responsible for all of the essential job duties set forth in the applicable department head's job description.
- C.** Customarily and regularly directs the work of at least two or more full-time employees.
- D.** Serves as the direct supervisor for all County department heads and the Deputy County Administrator by performing supervisory responsibilities including, but not limited to, the following:
 - 1. Interviewing and selecting assigned department heads and the Deputy County Administrator;
 - 2. Setting and adjusting department heads' and the Deputy County Administrator's rates of pay (within pre-approved budget parameters);
 - 3. Conducting regular performance evaluations of assigned County department heads and the Deputy County Administrator;
 - 4. Appraising assigned department heads' and the Deputy County Administrator's productivity and efficiency;
 - 5. Oversees new hire orientation and training of County department heads and the Deputy County Administrator.
 - 6. Handles both internal and external complaints and grievances related to assigned County department heads and the Deputy County Administrator;
 - 7. Makes all final decisions regarding the hiring, firing, discipline, advancement, promotion, and any other changes of status for all assigned department heads and the Deputy County Administrator; and
 - 8. Updates and revises job descriptions for County department heads and the

Deputy County Administrator.

- E.** Primary duties include the performance of office or non-manual work directly related to the management or general business operations of the County, which duties include, but are not limited to the following:
1. Provides leadership, recommendations, and direction to the County Board and County staff regarding the overall management and general business operations of the County;
 2. Oversees the preparation and submission of the annual Countywide budget to the County Board for approval;
 3. Oversees the creation and implementation of the County Board's Strategic Plan;
 4. Monitors and authorizes expenditures for assigned departments and programs;
 5. Oversees and administers the County's Revolving Loan Fund and other economic development activities including, but not limited to business retention, business attraction, and business growth;
 6. Preserves the confidentiality and security of confidential information including information that may be protected under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and information relating to all functions of Administration, the County, the County Board, and its committees;
 7. Responds to and addresses the public's concerns regarding the management or general business operations of the County;
 8. Directs the care and custody of all County property and assists with recommendation and implementation of the County's long-term capital improvement plans.
 9. As assigned, negotiates contract terms and monitors contracts for compliance; and
 10. Oversees grant administration for Kendall Area Transit operations.
- F.** Acts as the County Board's liaison regarding the coordination and management of policy initiatives, operational issues, and strategic plan within the daily operations of the County by performing duties including, but not limited to the following:
1. Provides administrative support and research assistance to the County Board;
 2. Attends meetings of the County Board, Committee of the Whole, and other County Board committees, as needed, both during and after regular work hours;
 3. Monitors and advises the County Board of the financial status and impending activities impacting or within the County and provides analysis and reports, as needed;
 4. Works to ensure the ordinances and resolutions of the County Board and all applicable state and federal laws and regulations are properly applied and enforced by the appropriate authorities;
 5. Facilitates the communication of information regarding County operations on a regular basis with community groups, representatives from State and local governments, local businesses, the County's lobbyist, employees of the County and elected offices, the County's contractors and agents, the public, and the media.

6. Serves as the County's main point of contact with Federal and State lobbyists;
 7. Assists with the development, research, and implementation of the County's legislative agenda with Federal and State legislators;
 8. Works with all department heads and the County Board's Finance & Budget Committee to ensure the County's annual budget is properly and timely presented to the County Board for adoption;
 9. Coordinates with the County's outside auditor(s) to ensure the annual audited financial statements are presented to the County Board;
 10. Coordinates grant and other funding opportunities with applicable County departments and elected offices.
 11. Coordinates the auditor selection process, as directed by the County Board;
 12. Coordinates with outside financial advisor(s) approved by the County Board regarding the issuance and refinancing of bonds;
 13. Oversees and communicates the status of pertinent issues and projects to the County Board Chair and the County Board;
 14. Coordinates research and acts as lead for special projects as assigned by the County Board;
 15. Furnishes the County Board Chair and the County Board with accurate and timely information that is necessary for the County Board to exercise its statutory powers and duties;
 16. Assists the County Board Chair in preparing the agenda for County Board meetings; makes recommendations to the County Board; follows through on County Board decisions; and makes periodic reports to the County Board.
 17. Represents the County and/or the County Board on intergovernmental commissions, boards, committees, and working groups, as designated by the County Board;
 18. Completes policy research and analysis on behalf of the County;
 19. Assists the County Board in developing, communicating, and implementing the County's future strategic, financial, legislative, and operational plans;
 20. Provides testimony and presents to other governmental entities, commissions, and organizations on the County's behalf, as requested and/or assigned by the County Board Chair and County Board.
 21. Serve as a primary contact and direct liaison, on behalf of the County, for municipalities, townships, and other governmental entities and groups.
- G.** Travels to, attends, and presents at meetings, conferences, workshops, and training sessions as a representative of the County and/or County Board, both during and after business hours. Such travel includes travel both within and outside of County limits and may include travel outside the State of Illinois, as needed to perform assigned job duties.
- H.** Serves as a County representative for collective bargaining issues and negotiations as assigned by County Board.
- I.** Prepares and revises correspondence, reports, presentations, and any other documentation, as needed, to perform assigned job duties.
- J.** Responds to media inquiries regarding or relating to assigned job duties.

- K.** Serves as the County's Open Meetings Act designee, as directed by the County Board.
- L.** Complies with all applicable federal and state laws and regulations regarding or relating to assigned job duties including, but not limited to the Illinois Open Meetings Act, the Illinois Freedom of Information Act, and the Illinois Local Records Act.
- M.** Complies with all applicable policies and procedures regarding or relating to assigned job duties.
- N.** Maintains availability outside work hours to respond to emergencies.
- O.** Maintains regular attendance and punctuality.
- P.** Travel to and from meetings, training, conferences, and other County office locations to perform job duties.
- Q.** Performs other duties, as required or assigned by the County Board.

III. Qualifications:

To perform this job successfully, an individual must be able to perform all essential duties satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required for the position.

A. LANGUAGE SKILLS:

- 1. Ability to research, read, and interpret documents and simple instructions.
- 2. Ability to prepare documents, reports, and correspondence.
- 3. Ability to speak effectively with the public, employees, outside entities, vendors, and the County's department heads and elected officials in both a one-on-one and group settings.
- 4. Requires excellent knowledge of the English language, spelling and grammar.
- 5. Strong oral and written presentation skills.

B. MATHEMATICAL SKILLS:

- 1. Ability to add, subtract, multiply and divide in all units of measure, using whole numbers, common fractions, and decimals.
- 2. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.
- 3. Ability to read and understand basic workplace data such as simple forms, tables, graphs, schedules, etc.

C. REASONING ABILITY:

- 1. Ability to analyze situations to identify problems; to identify sources of obstacles; and to evaluate and develop possible solutions.
- 2. Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form.
- 3. Ability to deal with problems involving several concrete variables in standardized situations.

D. OTHER SKILLS, KNOWLEDGE, AND ABILITIES:

1. Strong organization skills and multi-tasking skills.
2. Excellent prioritization skills and the ability to meet deadlines.
3. Ability to display a positive, cooperative, professional, and team orientated attitude.
4. Ability to listen, understand information and ideas, and work effectively with County personnel, department heads, local elected officials, and the public.
5. Ability to follow guidance and work independently until project completion.
6. Proficient knowledge of MS Word, Excel, Outlook, Teams, and PowerPoint.
7. Knowledge of office practices, principles of modern record keeping, and setting and maintaining filing systems.
8. Knowledge of principles and practices of local government structure and services.
9. Skills in operating a personal computer, facsimile machine, and copier.
10. Ability to comply with all County policies and procedures, and to adhere to set standards.

E. EDUCATION AND EXPERIENCE:

1. A minimum of a Bachelor's Degree from an accredited college or university is required. Preferred areas of study are public administration, business administration, public finance, accounting, or related fields.
2. A Master's Degree from an accredited college or university with major course work in public administration, business administration, public finance, accounting, or related fields, is preferred.
3. A minimum of at least seven years of increasing responsible professional experience in public or business administration, including at least four years in a management position, is preferred.

F. CERTIFICATES, LICENSES, REGISTRATIONS:

1. Current and valid Driver's License and reliable transportation.
2. Any and all other certificates and registrations as required for the specific duties performed.

IV. Physical Demands:

While performing the duties of this job, the employee must be able to:

1. Frequently sit for long periods of time at a desk, in meetings, and during travel to various locations to perform assigned job duties;
2. Occasionally lift and/or move up to 40 pounds;
3. Frequently lift and/or move up to 10 pounds;
4. Use hands and fingers to grip, handle, type, write, and feel;
5. Reach, push, and pull with one and/or both hands and arms;
6. Talk and hear in person and via use of telephone;
7. Vision abilities include close and distance vision, depth perception, and the ability to view computer monitors and screens for extended periods of time;
8. Travel independently to other County office buildings and to other locations throughout the County, the State of Illinois, and outside the State of Illinois, as needed, to perform assigned job duties.

V. Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee is subject to the following working conditions:

1. Mostly inside environmental conditions except when outside traveling between various buildings or locations throughout the County, the State of Illinois, and outside the State of Illinois, as needed to perform assigned job duties.
2. The noise level in the work environment is usually quiet to moderately quiet.
3. Employees may be exposed to stressful situations while working with others to perform assigned job duties.
4. Employee must be able to perform all assigned job duties during normal business hours and outside of normal business hours, as needed.

By signing my name below, I hereby affirm that I received a copy of this job description.

Employee Receipt Acknowledgement & Signature

Date

Signature of Supervisor

Date

cc: personnel file, employee

Kendall County Job Description

TITLE: Director/Zoning Administrator
DEPARTMENT: Planning, Building, and Zoning (PBZ)
SUPERVISED BY: County Administrator
FULL TIME/PART TIME: Full time
FLSA STATUS: Exempt
UNION STATUS: Non-union
APPROVED: In Process

I. Position Summary:

The Director/Zoning Administrator, under the direction of the Kendall County Administrator, oversees all activities and operations of the Kendall County Planning, Building and Zoning (PBZ) Department. The Director/Zoning Administrator performs work of considerable difficulty related to the management and general operations of the PBZ Department; and develops, administers, and coordinates processes related to land use development, economic development, and planning to ensure orderly development, redevelopment and growth in the unincorporated areas of Kendall County, Illinois (County).

II. Essential Duties and Responsibilities:

The essential job duties for this position include, but are not limited to the following:

- A. Primary duties include the management and oversight of the County's PBZ Department by performing duties including, but not limited to the following:
 - 1. Customarily and regularly directs the work of all employees and interns assigned to the County's PBZ Department.
 - 2. Interviews, selects, and trains PBZ Department employees and interns.
 - 3. Sets and adjusts employees' and interns' hours of work.
 - 4. Sets and adjusts employees' rates of pay (within pre-approved budget parameters).
 - 5. Maintains production and operations records for use in supervision and control of the PBZ Department.
 - 6. Conducts performance evaluations of PBZ Department employees.
 - 7. Appraises employees' productivity and efficiency for the purpose of recommending promotions or other changes in status.
 - 8. Handles employee complaints and grievances.
 - 9. Disciplines employees.
 - 10. Apportions the work among employees assigned to the PBZ Department.
 - 11. Provides for the safety and security of the PBZ Department employees and County property.
 - 12. Makes the final decisions regarding the hiring, firing, advancement, promotion and any other changes of status for all employees in the PBZ Department.
 - 13. Responsible preparation and submission of the PBZ Department's budget to the County Administrator with final budget approval by the County Board.
 - 14. Monitors and authorizes expenditures for the PBZ Department.
 - 15. Carries out all other supervisory responsibilities in accordance with all applicable laws, regulations, policies and procedures.
- B. The primary duty is the performance of office or non-manual work directly related to the management or general operations of the PBZ Department, which includes

Kendall County Job Description

the exercise of discretion and independent judgment with respect to matters of significance, which duties include, but are not limited to the following:

1. Serves as the County's liaison and works with outside agencies and consultants in the development of long-range plans and development reviews, economic development initiatives, updating and administering codes related to land regulation and development, and the County's Land Resource Management and Transportation Plans.
 2. Assists the County's consultants in the preparation of specialized planning studies and reports.
 3. Provides staff support to a variety of committees, commissions, and boards; and attends and makes presentations to various commissions and boards such as the Kendall County ZPAC, Plan Commission, Historic Preservation Commission, and Zoning Board of Appeals, both during and after regular business hours.
 4. Serves as the County's Zoning Administrator (responsibilities outlined in Kendall County Zoning Ordinance).
 5. Serves as the County's Stormwater Ordinance Administrator (responsibilities outlined in Kendall County Stormwater Management Ordinance and Zoning Ordinance).
 6. Serves as the Plat Officer for Kendall County (responsibilities outlined in the Kendall County Subdivision Control Ordinance).
 7. Interprets and applies federal and state statutes, regulations, and rules to ensure that the public and private projects are in compliance with the same.
 8. Interprets, applies, and enforces provisions of applicable County ordinances related to development, zoning, subdivision, soil erosion, storm water management, floodplain and nuisance.
 9. Interacts and communicates with a variety of individuals and groups who contact the County's PBZ Department for the purpose of obtaining or providing information, coordinating activities, processing projects, negotiating plan changes, and formulating recommendations.
 10. Oversees the maintenance of petition records, allocation registration reviews, and database development etc.
 11. Performs zoning compliance review of building permits as requested by PBZ Department staff and provides recommendations regarding the same.
 12. Makes recommendations for improving processes and procedures of the PBZ Department.
 13. Authorizes reduction and release of bonds, letters of credit and other security for public improvements and land cash contributions.
 14. Calculates school and park/forest preserve land cash contributions, and recommends fee adjustments.
 15. Maintains escrow accounts for site development permits.
 16. Provides leadership and support to County's Economic Development Coordinator and the County's economic development initiatives.
- C. Serves as project manager for all petitions for variances, rezoning, special uses, subdivision plat approval, and Planned Unit Developments in the unincorporated areas of the County by performing various duties including, but not limited to:
1. In-depth application and plan review to confirm that all petitions, plans drawings and supporting documents are complete and compliant with all applicable codes, statutes and ordinances;

Kendall County Job Description

2. Coordinates with applicants to obtain additional information and project changes;
 3. Schedules and conducts pre-application meetings for zoning, subdivision and development applications;
 4. Prepare legal notices and post the same on relevant property sites;
 5. Conduct all necessary background research;
 6. Prepare staff reports;
 7. Prepares correspondence and coordinates review of site development permits and engineering plans and petitions with other staff and outside review agencies;
 8. Prepares reports and recommendations to various boards and committees involved in the development review process and oversees preparation of informational handouts and packets for distribution to the various boards and committees;
 9. Provides recommendations to the applicable committees, commissions and County Board related to the applications and plans;
 10. Manages and schedules petitions for required hearings and review by the various committees, commissions and boards involved in the review process; and
 11. Prepares draft ordinances and resolutions for review by the applicable committees, commissions and boards.
- D. Assist staff, consultants, and others with County ordinance enforcement and compliance by performing duties including, but not limited to, investigating alleged ordinance violations and complaints received by the County's PBZ Department; determining whether ordinance violations exist; and providing testimony and administrative support necessary for the prosecution of ordinance violations.
- E. Serves as a Freedom of Information Act Officer for the County's PBZ Department.
- F. Complies with record retention and destruction procedures in compliance with the Illinois Local Records Act.
- G. Must be able to work both on-site and off-site, as needed, to perform the essential job duties.
- H. Safely operates County vehicles and safety equipment.
- I. Travels to, attends and/or presents at meetings, conferences, and trainings/seminars, as assigned, both during and after regular business hours.
- J. Handles confidential matters daily relating to all functions of the PBZ Department and maintains confidentiality of such information.
- K. Maintains positive and professional working relationships with the County's elected officials, department heads, employees, other government agencies, and other third parties.
- L. Complies with all applicable laws, regulations, and County policies and procedures regarding or relating to assigned job duties.
- M. Maintains regular attendance and punctuality.
- N. Performs other duties, as assigned.

III. Qualifications:

To perform this job successfully, an individual must be able to perform all essential duties satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required for the position.

Kendall County Job Description

A. Language Skills:

1. Ability to research, read, and interpret documents and simple instructions.
2. Ability to prepare documents, reports, minutes, agendas, and correspondence.
3. Ability to speak effectively with the public, employees, outside entities, vendors, and the County's elected officials, in both one-on-one and group settings.
4. Requires proficient knowledge of the English language, spelling and grammar.

B. Mathematical Skills:

1. Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals.
2. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.
3. Ability to prepare and analyze statistical data and reports.

C. Reasoning Ability:

1. Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form.
2. Ability to deal with problems involving several concrete variables in standardized situations.
3. Ability to read and interpret blueprints, plats of survey, and similar documents and drawings.

D. Certificates, Licenses, and Registrations:

1. Current and valid Driver's License.
2. AICP designation preferred.
3. Any and all other certificates and registrations as required by immediate supervisor for the specific duties performed.

E. Other Skills, Knowledge and Abilities:

1. Strong organization and multi-tasking skills.
2. Excellent prioritization skills and the ability to meet deadlines.
3. The ability to display a positive, cooperative, professional, and team orientated attitude.
4. The ability to listen, understand information and ideas, and work effectively with county personnel, department heads, and elected officials.
5. The ability to follow guidance and work independently until project completion.
6. Basic knowledge of engineering and construction practices and GIS systems.
7. Basic knowledge of economic development and community planning.
8. Must be proficient in the use of computers and in Microsoft Outlook, Excel, Word, Teams, and PowerPoint.
9. Knowledge of office practices, principles of modern record keeping, set and maintaining filing systems.
10. Skills in operating a personal computer, facsimile machine, copier, and typewriter.

Kendall County Job Description

11. Working knowledge of all applicable statutes, regulations, and ordinances as well as zoning and subdivision administration, which are relevant to essential job duties.

F. Education and Experience:

1. A minimum of a Bachelor's Degree from an accredited college or university is required with a preferred area of study in Land Use Planning, Urban Planning, Landscape Architecture, or Public Policy. However, AICP designation may be substituted for Bachelor's Degree requirement.
2. A Master's Degree from an accredited college or university in planning, public policy, or public administration is preferred.
3. A minimum of at least three (3) years of prior work experience in PBZ related field.
4. A minimum of at least two (2) or more years of prior experience in a management level position is preferred.

IV. Physical Demands:

While performing the duties of this job, the employee must be able to:

- A. Frequently sit for long periods of time at a desk or in meetings.
- B. Frequently work with computers and look at computer screen and other electronic devices.
- C. Occasionally lift and/or move up to 50 pounds.
- D. Frequently lift and/or move up to 10 pounds.
- E. Stand and walk on uneven ground at development sites.
- F. Use hands to grip, handle, feel, grip, and type.
- G. Bend over at the waist and reach with hands and arms.
- H. Climb and balance at development sites.
- I. Stoop, kneel, crouch, and/or crawl.
- J. Reach, push, and pull with hands and arms.
- K. Must be able to safely and proficiently use County vehicles and all other equipment needed to person assigned job duties
- L. Talk and hear in person and via use of telephone.
- M. Specific vision abilities include close and distance vision, as well as depth perception.
- N. Travel independently to other County properties and other locations throughout the County and the Chicago region to perform assigned job duties.

V. Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee is subject to the following working conditions:

- A. Inside and outside environmental conditions, which includes during extreme weather.
- B. Will be exposed to driving and onsite construction conditions.
- C. May be exposed to dust, fumes, odors, mold, smoke, gases, and chemicals.
- D. The noise level in the work environment varies from quiet to noisy.
- E. The employee must be able to perform all assigned job duties during normal business hours and outside of normal business hours.

Kendall County Job Description

- F. Employee may be exposed to stressful situations while working with elected officials, consultants, attorneys, applicants, and the general public.
- G. Employee may be required to provide own transportation to travel to and from meetings, training, conferences, etc.

By signing my name below, I hereby affirm that I received a copy of this job description.

Employee Receipt Acknowledgement & Signature

Date

Signature of Supervisor

Date

cc: personnel file, employee

DRAFT

Kendall County Internship Job Description

TITLE: Intern
DEPARTMENT: Administration
SUPERVISED BY: Deputy County Administrator
FULL TIME/PART TIME: Part Time (Hours vary)
FLSA STATUS: Non-Exempt
UNION STATUS: Non-Union
APPROVED/REVISED: In Process

I. Position Summary:

This internship provides support to the Kendall County's Administration Department. During the internship, the intern will gain hands on experience in a broad range of administrative services including, but not limited to finance, budget, economic development, policy, ordinances, resolutions, and grant administration. Also, the intern may assist the Administration Department staff with administration of Kendall County's programs such as the Revolving Loan Fund, Kendall Area Transit, the annual audit, annual budget, and other Kendall County Board programs. This internship may be paid or unpaid and eligible for school credit (at the discretion of the Deputy County Administrator).

II. Essential Duties and Responsibilities:

The essential duties for this internship include, but are not limited to the following:

- A. Provides support to the Kendall County's Administration Department and gains hands on experience in a broad range of administration and finance services including, but not limited to meeting agenda creation, drafting meeting minutes, mail, drafting standard operating procedures, social media, PowerPoint presentations, financial reports, budget projections, grant reporting, and drafting policy.
- B. Provides support to the Kendall County Administration Department with research support for various policy and budget issues.
- C. Assists with filing documents, pulling documents from storage, and putting files away in storage.
- D. Complies with record retention and destruction procedures in compliance with the Illinois Local Records Act.
- E. Assists with the preparation and revision of correspondence, reports, newsletters, flyers, brochures, and any other documentation, as needed, to perform assigned internship responsibilities.
- F. Handles confidential matters daily relating to all functions of the Administration Department and maintains confidentiality of such information.
- G. Maintains positive and professional working relationships with Kendall County's elected officials, department heads, employees, other government agencies, unions, and other third parties.

Kendall County Internship Job Description

- H. Complies with all applicable laws, regulations, union contracts, and County policies and procedures regarding or relating to assigned job duties.
- I. Performs other duties as assigned.

III. Qualifications:

To perform this internship successfully, an individual must be able to perform all essential duties and responsibilities satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required for the internship:

A. Language Skills:

- 1. Ability to research, read, and interpret documents and simple instructions.
- 2. Ability to prepare documents, reports, marketing materials, and correspondence.
- 3. Requires proficient knowledge of the English language, spelling and grammar and ability to alphabetize.

B. Mathematical Skills:

- 1. Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals.
- 2. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.
- 3. Ability to assist with preparation and analysis of statistical data/reports.

C. Reasoning Ability:

- 1. Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form.
- 2. Ability to deal with problems involving several concrete variables in standardized situations.

D. Certificates, Licenses, and Registrations:

- 1. Current and valid driver's license.

E. Other Skills, Knowledge, and Abilities:

- 1. Strong organization and multi-tasking skills.
- 2. Excellent prioritization skills and the ability to meet deadlines.
- 3. The ability to display a positive, cooperative, professional and team orientated attitude.
- 4. The ability to listen, understand information and ideas, and work effectively with County personnel, department heads, and elected officials.
- 5. The ability to follow guidance and work independently until project completion.
- 6. Must be proficient in the use of computers and in Microsoft Outlook, Excel, Word, Teams, and PowerPoint.
- 7. Knowledge of office practices, principles of modern record keeping, and maintaining filing systems.
- 8. Skills in operating a personal computer, facsimile machine, copier, and typewriter.

Kendall County Internship Job Description

F. Education and Experience:

1. At least 16 years of age or older; and
2. Either currently enrolled or recently graduated (i.e., within the three (3) months prior to submission of an internship application) from one of the following: high school, or an associate degree program, undergraduate degree program, or graduate school program at an accredited college or university.

IV. Physical Demands:

While performing the duties of this internship, the intern must be able to:

- A. Frequently sit for long periods of time at a desk or in meetings.
- B. Frequently work with computers and look at computer screen and other electronic devices.
- C. Occasionally lift and/or move up to 40 pounds.
- D. Frequently lift and/or move up to 10 pounds.
- E. Use hands to finger, handle, feel, grip, and type.
- F. Reach, push, and pull with hands and arms.
- G. Talk and hear in person and via use of telephone.
- H. Specific vision abilities include close and distance vision, as well as depth perception.
- I. Travel independently to other County properties to perform assigned internship responsibilities.

V. Work Environment:

The work environment characteristics described here are representative of those an intern encounters during this internship. While performing the duties of this internship, an intern may be subject to the following working conditions:

- A. Mostly inside environmental conditions, except when outside traveling between various buildings/locations in Kendall County to perform assigned duties.
- B. The noise level in the work environment is usually quiet to moderately quiet.
- C. The intern may be exposed to stressful and difficult situations and material.
- D. The intern may be required to provide their own transportation to travel to and from the internship site location and other County properties.
- E. The internship will be completed during normal business hours.

By signing my name below, I hereby affirm that I received a copy of this internship job description.

Intern Receipt Acknowledgement & Signature

Date

Signature of Supervisor

Date

cc: personnel file, intern

TITLE: Intern
DEPARTMENT: Human Resources
SUPERVISED BY: Human Resources Director
FULL TIME/PART TIME: Part Time (Hours vary)
FLSA STATUS: Non-Exempt & Unpaid (eligible for school credit)
APPROVED/REVISED: In Process

I. Position Summary:

This internship provides support to the Kendall County's Human Resources Department. During the internship, the intern will gain hands on experience in a broad range of human resources services including, but not limited to recruitment and selection, onboarding and offboarding, job classification and compensation, systems and records administration, employee development, training, and employee relations. Also, the intern may assist the Human Resources Department staff with administration of Kendall County's risk management and compliance programs such as workers compensation, property insurance, auto insurance, and liability insurance. This internship opportunity is unpaid but eligible for school credit.

II. Essential Duties and Responsibilities:

The essential duties for this internship include, but are not limited to the following:

- A. Provides support to the Kendall County's Human Resources Department and gain hands on experience in a broad range of human resources services including, but not limited to recruitment and selection, onboarding and offboarding, job classification and compensation, systems and records administration, employee development, training, and employee relations.
- B. Provides support to the Kendall County Human Resources Department with the administration of Kendall County's risk management and compliance programs such as workers compensation, property insurance, auto insurance, and liability insurance.
- C. Assists with filing documents, pulling documents from storage, and putting files away in storage.
- D. Complies with record retention and destruction procedures in compliance with the Illinois Local Records Act.
- E. Assists with the preparation and revision of correspondence, reports, newsletters, flyers, brochures, and any other documentation, as needed, to perform assigned internship responsibilities.
- F. Handles confidential matters daily relating to all functions of the Human Resources Department and maintains confidentiality of such information.
- G. Maintains positive and professional working relationships with Kendall County's elected officials, department heads, employees, other government agencies, unions, and other third parties.

Kendall County Internship Job Description

- H. Complies with all applicable laws, regulations, union contracts, and County policies and procedures regarding or relating to assigned job duties.
- I. Performs other duties as assigned.

III. Qualifications:

To perform this internship successfully, an individual must be able to perform all essential duties and responsibilities satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required for the internship:

A. Language Skills:

- 1. Ability to research, read, and interpret documents and simple instructions.
- 2. Ability to prepare documents, reports, marketing materials, and correspondence.
- 3. Requires proficient knowledge of the English language, spelling and grammar and ability to alphabetize.

B. Mathematical Skills:

- 1. Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals.
- 2. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.
- 3. Ability to assist with preparation and analysis of statistical data/reports.

C. Reasoning Ability:

- 1. Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form.
- 2. Ability to deal with problems involving several concrete variables in standardized situations.

D. Certificates, Licenses, and Registrations:

- 1. Current and valid driver's license.

E. Other Skills, Knowledge, and Abilities:

- 1. Strong organization and multi-tasking skills.
- 2. Excellent prioritization skills and the ability to meet deadlines.
- 3. The ability to display a positive, cooperative, professional and team orientated attitude.
- 4. The ability to listen, understand information and ideas, and work effectively with County personnel, department heads, and elected officials.
- 5. The ability to follow guidance and work independently until project completion.
- 6. Must be proficient in the use of computers and in Microsoft Outlook, Excel, Word, Teams, and PowerPoint.
- 7. Knowledge of office practices, principles of modern record keeping, and maintaining filing systems.
- 8. Skills in operating a personal computer, facsimile machine, copier, and typewriter.

Kendall County Internship Job Description

F. Education and Experience:

1. At least 16 years of age or older; and
2. Either currently enrolled or recently graduated (i.e., within the three (3) months prior to submission of an internship application) from one of the following: high school, or an associate degree program, undergraduate degree program, or graduate school program at an accredited college or university.

IV. Physical Demands:

While performing the duties of this internship, the intern must be able to:

- A. Frequently sit for long periods of time at a desk or in meetings.
- B. Frequently work with computers and look at computer screen and other electronic devices.
- C. Occasionally lift and/or move up to 40 pounds.
- D. Frequently lift and/or move up to 10 pounds.
- E. Use hands to finger, handle, feel, grip, and type.
- F. Reach, push, and pull with hands and arms.
- G. Talk and hear in person and via use of telephone.
- H. Specific vision abilities include close and distance vision, as well as depth perception.
- I. Travel independently to other County properties to perform assigned internship responsibilities.

V. Work Environment:

The work environment characteristics described here are representative of those an intern encounters during this internship. While performing the duties of this internship, an intern may be subject to the following working conditions:

- A. Mostly inside environmental conditions, except when outside traveling between various buildings/locations in Kendall County to perform assigned duties.
- B. The noise level in the work environment is usually quiet to moderately quiet.
- C. The intern may be exposed to stressful and difficult situations and material.
- D. The intern may be required to provide their own transportation to travel to and from the internship site location and other County properties.
- E. The internship will be completed during normal business hours.

By signing my name below, I hereby affirm that I received a copy of this internship job description.

Intern Receipt Acknowledgement & Signature

Date

Signature of Supervisor
cc: personnel file, intern

Date

TITLE: Economic Development Coordinator
DEPARTMENT: Planning, Building and Zoning (PBZ)
SUPERVISED BY: Director
FLSA STATUS: Exempt
APPROVED: April 5, 2023 (Revised – In process)

I. Position Summary:

Under the supervision of the Director of the Planning, Building and Zoning (PBZ) Department, this role will be responsible for coordinating and overseeing of the economic development of the County of Kendall ("County") including facilitating federal grants; facilitating business expansion and retention; recruiting new industry; and managing loan assistance through the Kendall County Revolving Loan Fund. This position will work to improve the local economy and diversify the tax base through local business retention, expansion, and fostering new business opportunities.

II. Essential Duties and Responsibilities:

The essential job duties for this position include, but are not limited to the following:

- A.** Performs primary duties requiring office or non-manual work directly related to the management or general business operations of the County, including, but not limited to the following:
1. Reviews and performs quality control on State of Illinois Databases related to economic development including, but not limited to business attraction, business retention, business development, available commercial/industrial real estate, workforce data, and workforce development.
 2. Oversees and manages the Kendall County Revolving Loan Fund and Revolving Loan Program.
 3. Assists local businesses in the unincorporated areas of the County with the zoning process and connection to various utilities.
 4. Serves as staff government relations representative with municipalities, community agencies, community stakeholders, public officials, and other economic development allies to assist new and existing businesses.
 5. Conducts research regarding new issues, methods, trends, and advances in economic development.
 6. Develops strategic economic development partnerships with businesses, organizations and communities within the County, as well as with other counties and municipalities.
 7. Attends meetings with public groups, clubs, organizations, and agencies in a public relations capacity to promote programs that encourage economic growth in the County.
 8. Responds to inquiries and meets with established and prospective business associations to serve as an information broker and liaison to County services and programs.
 9. Creates and administer a database of available commercial/industrial properties and active businesses.
 10. Creates marketing and promotional materials that promote the County's economic development programs.
 11. Participates in professional and intergovernmental organizations that promote economic development and represents the County at local, regional and national meetings and conventions as needed and as assigned.

Kendall County Job Description

12. Provides leadership, recommendations, and direction to elected officials and staff regarding the County's economic development needs.
- B.** Performs primary duties that require the exercise of discretion and independent judgment with respect to matters of significance, and their recommendations are giving great weight by the final decision makers, including, but not limited to the following:
1. Develops and recommends goals, long- and short-term objectives, policies and priorities for economic growth programs in support of the County's economic development strategy, which recommendations are given significant weight by the final decision makers.
 2. Assists local businesses in the Enterprise Zone application process.
 3. Manages the Kendall County Property Tax Abatement Program and collaborates with municipalities on applications.
 4. Creates and recommends an economic development strategic plan for the County, which recommendations are given significant weight by the final decision makers.
 5. Coordinates and attends meetings with local economic development professionals from municipalities and other economic development organizations in the County.
 6. Reviews potential economic development projects proposed by state agencies for viability in the County, and serves as a liaison with the state agency regarding potential projects.
 7. Investigates and tracks available industrial and commercial real-estate.
 8. Serves as staff liaison to assigned economic development organizations and County Board Committees.
 9. Develops County Board policies, goals, priorities and long- and short-term economic development objectives.
 10. Assists interested businesses and industries in identifying potential sites, securing approvals, and identifying financing opportunities.
 11. Maintains a comprehensive and current understanding of policies, procedures, codes, and regulations, including all State, Federal and local laws and regulations, relating to economic development.
 12. Remains current on economic development information updates and other professional literature.
- C.** Travels to and attends meetings, conferences, workshops, and training sessions as approved and as assigned, both during and after business hours. Such travel includes travel both within and outside of County limits and may include travel outside the State of Illinois, as needed to perform assigned job duties.
- D.** Attends County Board and Committee meetings as requested, both during and after business hours.
- E.** Attends local government meetings as requested, both during and after business hours.
- F.** Prepares and revises correspondence, reports, presentations, and any other documentation, as needed, to perform assigned job duties.
- G.** Handles confidential matters daily relating to all functions of Planning, Building & Zoning Department, the County Board, and its committees, and maintains confidentiality of said information.
- H.** Complies with all applicable federal and state laws and regulations regarding or relating to assigned job duties including, but not limited to the Illinois Open Meetings Act, the Illinois Freedom of Information Act, and the Illinois Local Records Act.
- I.** Complies with all applicable policies and procedures regarding or relating to assigned job duties.

Kendall County Job Description

- J. Maintains regular attendance and punctuality.
- K. Performs other duties, as assigned.

III. Supervisory Responsibilities.

This job has no supervisory responsibilities.

IV. Qualifications:

To perform this job successfully, an individual must be able to perform all essential duties satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required for the position.

A. Language Skills:

1. Ability to research, read, and interpret documents and simple instructions.
2. Ability to prepare documents, reports, and correspondence.
3. Ability to speak effectively with the public, employees, outside entities, vendors, and the County's elected officials and department heads in both one-on-one and group settings.
4. Requires good knowledge of the English language, spelling, and grammar.
5. Bilingual ability in Spanish is preferred.

B. Mathematical Skills:

1. Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals.
2. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.
3. Ability to read and understand basic workplace data, such as simple forms, tables, graphs, schedules etc.

C. Reasoning Ability:

1. Ability to analyze situations to identify problems, identify sources of obstacles, and evaluate possible solutions.
2. Ability to deal with problems involving several concrete variables in standardized situations.
3. Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form.

D. Certificates, Licenses, and Registrations:

1. Current and valid Driver's License and reliable transportation.
2. Must possess the Certified Economic Developer (CEcD) certification or must successfully obtain this certification within first year of employment.
3. Economic Development Finance Professional (EDFP) certification is also preferred.
4. Any and all other certificates and registrations as required for the specific duties performed.

E. Other Skills, Knowledge and Abilities:

1. Strong organization and multi-tasking skills.
2. Ability to carry out duties with minimal supervision.
3. Ability to research materials and develop reports from information gathered.
4. Ability to maintain confidentiality.
5. Comprehensive understanding of the economic development field and application of advanced principles, techniques and theory.

Kendall County Job Description

6. Excellent prioritization skills and the ability to meet deadlines.
7. The ability to display a positive, cooperative, professional, and team-orientated attitude even in stressful situations.
8. The ability to listen, understand information and ideas, and work effectively with County personnel, department heads, elected officials, businesses, and other organizations.
9. The ability to follow guidance and work independently until project completion.
10. Proficient knowledge of MS Word, Excel, Outlook, PowerPoint.
11. Knowledge of office practices, principles of modern record keeping, set and maintaining filing systems.
12. Skills in operating a personal computer, facsimile machine, copier, and typewriter.
13. Ability to comply with all County policies and procedures and adhere to set standards.

F. Education and Experience:

1. A minimum of a Bachelor's degree from an accredited college or university is required. Preferred areas of study are Business Administration, Public Administration, Community Development/Planning, Economics/Economic Development, Real Estate, Public Relations, Marketing, Business Development, Real Estate, or related area of study.
2. At least three (3) years of previous work experience in business administration, public administration, community development/planning, economic development, real estate, public relations, marketing, business development, and/or real estate is required.
3. A Master's Degree in Business, Public Administration, or Marketing is preferred.

G. Physical Demands:

While performing the duties of this job, the employee must be able to:

1. Frequently sit for long periods of time at a desk, in meetings, and during travel to various locations to perform assigned job duties;
2. Occasionally walk to other offices in the County Office Building and other County buildings (e.g., Historic Courthouse).
3. Regularly use computers and other electronic equipment to perform assigned job duties;
4. Occasionally lift and/or move up to 40 pounds;
5. Frequently lift and/or move up to 10 pounds;
6. Use hands to finger, handle or feel;
7. Reach, push, and pull with hands and arms;
8. Talk and hear in person and via use of telephone;
9. Specific vision abilities include close and distance vision, as well as depth perception;
10. Travel independently to other County office buildings and to other locations throughout the County, the State of Illinois, and outside the State of Illinois, as needed, to perform assigned job duties.

V. Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee is subject to the following working conditions:

1. Mostly inside environmental conditions, except when outside traveling between various buildings/locations throughout the County, the State of Illinois, and

Kendall County Job Description

- outside the State of Illinois, as needed to perform assigned job duties.
2. The noise level in the work environment is usually quiet to moderately quiet.
 3. Employee may be exposed to stressful situations while working with others to perform assigned job duties.
 4. Employee is required to provide their own transportation to travel to and from meetings, training, conferences, etc.
 5. Employee must be able to perform all assigned job duties during normal business hours and outside of normal business hours, as needed.

By signing my name below, I hereby affirm that I received a copy of this job description.

Employee Receipt Acknowledgement & Signature

Date

Signature of Supervisor

Date

cc: personnel file, employee

Kendall County Job Description

TITLE: Office Assistant
DEPARTMENT: Planning, Building and Zoning (PBZ)
SUPERVISED BY: Director
FULL TIME/PART TIME: Part Time
FLSA STATUS: Non-Exempt
UNION STATUS: Non-Union
APPROVED/REVISED: April 4, 2018 (revised – in process)

I. **Position Summary:**

Under the supervision of the PBZ Director, this position provides administrative and clerical support to the PBZ Department. This position also coordinates and conducts various administrative activities related to issuance of building permits and scheduling of inspections by the PBZ Department.

II. **Essential Duties and Responsibilities:**

The essential duties for this position include, but are not limited to the following:

- A.** Performs administrative assistant duties for the PBZ Department including, but not limited to the following:
 - 1. Acts as a counter clerk or receptionist receiving individuals or directing them to the proper location.
 - 2. Answers and directs telephone calls received by the PBZ Department and takes telephone messages for Department staff.
 - 3. Receives, sorts, and distributes mail in the PBZ Department.
 - 4. Provides basic clerical and administrative support to PBZ Department staff.
 - 5. Prepares, revises, sends, and files correspondence.
 - 6. Performs data entry.
 - 7. Research different PBZ topics as assigned.
 - 8. Performs filing, faxing, and copying of documents.
 - 9. Taking and/or preparing agendas and minutes for PBZ related committees.
 - 10. Reviews draft letters, reports, and other PBZ related documents for grammatical errors and clarity.
 - 11. Assists with the processing of Freedom of Information Act (FOIA) related requests.
 - 12. Responsible for inventory and ordering of supplies for the PBZ Department.
 - 13. Provides PBZ information to the public.
- B.** Maintains inventory of codebooks, ordinances, maps and documents for sale in the Kendall County PBZ Department.
- C.** Coordinates and conducts various administrative activities related to issuance of building permits and scheduling of inspections, including but not limited to the following duties:
 - 1. Provides information on codes and policy and explains forms and procedures.
 - 2. Receives permit application requests, reviews applications for accuracy and completeness and advises applicants on status of permit applications.
 - 3. Explains forms and procedures and reviews applications for accuracy and completeness.
 - 4. Collects application fees for PBZ related procedures.

Kendall County Job Description

5. Intakes permit applications, assigns permit numbers and schedules inspections requests.
 6. Prepares approved permits for issuance.
 7. Tracks PBZ related application review progress and advises applicants on status.
 8. Schedules inspection requests and tracks and records inspections with pass/fail.
 9. Assigns addresses to new construction and reports new addresses to other departments and agencies.
 10. Responds to inquiries by officials, staff, and the public and prepares summary reports on permits to the Kendall County Board, U.S. Census, and other essential personnel or departments.
 11. Responsible for preserving and maintaining records related to issuance of building permits and inspections.
- D.** Performs various bookkeeping and accounting functions for the PBZ Department including but not limited to the following:
1. Compiles accurate financial records including, but not limited to, receipt of funds, disbursements, operational costs, and budget balances.
 2. Ensures that accurate and prompt billings are established and payments received.
 3. Processes invoices and enters them into voucher system.
 4. Prepares monthly expenditure and budget reports for PBZ Committee.
- E.** Takes photos and files applicable reports about alleged violations.
- F.** Organizes workload to respond to all requests accurately and efficiently.
- G.** Travels to and attends PBZ related committee meetings, trainings, and other meetings, as assigned, both during and after regular business hours.
- H.** Complies with record retention and destruction procedures in compliance with the Illinois Local Records Act.
- I.** Handles confidential materials daily relating to all functions of the PBZ Department and maintains confidentiality of such information.
- J.** Maintains positive and professional working relationships with Kendall County's elected officials, department heads, employees, vendors, and the public.
- K.** Complies with all applicable laws, regulations, and County policies and procedures regarding or relating to assigned job duties.
- L.** Maintains regular attendance and punctuality.
- M.** Performs other duties and responsibilities as assigned.

Kendall County Job Description

III.

Qualifications:

To perform this job successfully, an individual must be able to perform all essential duties satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required for the position.

A. Language Skills:

1. Ability to research, read, and interpret documents and simple instructions.
2. Ability to prepare documents, reports, minutes, agendas, and correspondence.
3. Ability to speak effectively with the public, employees, outside entities, vendors, and the County's elected officials in both one-on-one and group settings.
4. Requires proficient knowledge of the English language, spelling and grammar.

B. Mathematical Skills:

1. Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals.
2. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.
3. Ability to count money and make change.
4. Ability to prepare and analyze statistical data and reports.

C. Reasoning Ability:

1. Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form.
2. Ability to deal with problems involving several variables in standardized situations.
3. Ability to independently work to project completion and follow guidance.
4. Ability to listen, understand information and ideas, and to work effectively with County personnel, elected officials, vendors, and the public.

D. Certificates, Licenses, and Registrations:

1. Current and valid Driver's License.
2. Any and all other certificates and registrations as required by immediate supervisor for the specific duties performed.

E. Skills, Knowledge, and Abilities:

1. Strong organization and multi-tasking skills.
2. Excellent prioritization skills and the ability to meet deadlines.
3. The ability to display a positive, cooperative, professional and team-oriented attitude, committed to working in a safe and quality environment.
4. The ability to communicate effectively both orally and in writing with staff and the general public.
5. The ability to listen, understand information and ideas and work effectively with departmental county personnel, local elected officials, and local economic development officials.
6. Must be proficient in the use of computers and in MS Word, Excel, Outlook, Project, Power Point, and email and internet systems.
7. Knowledge of office practices, principles of modern record keeping, setting up and maintaining filing systems.

Kendall County Job Description

8. Skills in operating a personal computer, facsimile machine, copier, and telephone system.
9. Basic understanding and reading of maps.

F. Education and Experience:

1. A minimum of a high school diploma, general education degree (GED), or equivalent is required.
2. A minimum of at least two (2) years of prior work experience in a service-oriented environment is required.

IV. Physical Demands:

While performing the duties of this job, the employee must be able to:

- A. Frequently sit for long periods of time at desk or in meetings.
- B. Frequently work with computers and look at computer screen and other electronic devices.
- C. Occasionally lift and/or move up to 40 pounds.
- D. Frequently lift and/or move up to 10 pounds.
- E. Use hands to touch, handle, feel, grip, and type.
- F. Reach, push and pull with hands and arms.
- G. Bend over at the waist and reach with hands and arms.
- H. Climb stairs and ladders and balance.
- I. Stoop, kneel, crouch, and/or crawl.
- J. Talk and hear in person and via use of telephone.
- K. Specific vision abilities include close and distance vision, as well as depth perception.
- L. Travel independently to other County properties and other locations throughout Kendall County to perform assigned job duties.

V. Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee is subject to the following working conditions:

- A. Mostly inside environmental conditions, except when outside traveling between various buildings/locations in Kendall County to perform assigned job duties.
- B. The noise level in the work environment is usually quiet to moderately quiet.
- C. Employee may be exposed to stressful situations while working with users, law enforcement, department heads, elected officials, vendors, and the general public.
- D. Employee may be required to provide own transportation to travel to and from meetings, training, conferences, etc.
- E. Employee must be able to perform all assigned job duties during normal business hours and outside of normal business hours, as needed.

Kendall County Job Description

By signing my name below, I hereby affirm that I received a copy of this job description.

Employee Receipt Acknowledgement & Signature

Date

Signature of Supervisor

Date

cc: personnel file, employee

DRAFT

Kendall County Job Description

TITLE: Code Official
DEPARTMENT: Planning, Building and Zoning (PBZ)
SUPERVISED BY: Director/Zoning Administrator
FULL TIME/PART TIME: Full Time
FLSA STATUS: Non-Exempt
UNION STATUS: Non-Union
APPROVED/REVISED: October 15, 2019 (revised – in process)

I. Position Summary:

Under the supervision of the Planning, Building, and Zoning (PBZ) Department Director/Zoning Administrator, this position manages, coordinates, and conducts building related activities related to the Kendall County Zoning Ordinance and other applicable local, state, and federal building and zoning regulations. Under general supervision, the Code Official performs work of moderate difficulty in reviewing building permit applications, plan review, and inspecting new and existing structures for compliance with all applicable codes and ordinances.

II. Essential Duties and Responsibilities:

- A. Explains, applies, and enforces the Kendall County Zoning Ordinance and all other applicable local, state and federal building and zoning codes, ordinances and regulations.
- B. Interprets and applies all provisions of the building, electrical, plumbing, and related codes and advises the Planning, Building, and Zoning Committee on building code matters.
- C. Enforces zoning, subdivision, flood plain, building, erosion control, storm water management, and related codes at county, state, and national levels.
- D. Performs plan reviews and inspections and issues permits accordingly.
- E. Researches and updates pending building code revisions.
- F. Coordinates with the Office Assistant to schedule inspections and manage the inspection calendar.
- G. Coordinates outside plan reviewers to schedule and perform inspections in their absence.
- H. Consults with and advises property owners, builders, architects, engineers, attorneys, surveyors, to ensure project compliance.
- I. Responds to technical inquiries regarding code and ordinance interpretation.
- J. Prepares and issues building and sign permits.
- K. Reviews permit applications, plans, drawings, and other documents for completeness, accuracy, and code compliance.
- L. Performs final inspection of construction projects at completion and issues certificates of occupancy.
- M. Conducts investigations of alleged violations such as non-permitted construction, excavation, trailers, dumping, fences, signs, junk vehicles, and weeds, permitted signs and mobile homes, campground and building inspections, etc.
- N. Prepares and issues ordinance violation citations, as authorized by applicable Kendall County ordinances, and provides testimony in legal proceedings regarding such violations.
- O. Sets inspection roster for part-time Code Official.
- P. Performs property record searches to determine accuracy of data such as location, ownership, district, and legal description.

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- Q. Evaluates the building code compliance process and provides recommendations for improvements to County building and zoning related procedures, which recommendations are given particular weight by the final decision-maker.
- R. Prepares and maintains records regarding and relating to all job duties performed by the Code Official including, but not limited to, inspection logs, photographs of violations, reports of findings, records of permits, plan reviews, inspections, etc.
- S. Travels throughout Kendall County to perform assigned job duties.
- T. Operates Kendall County vehicles safely and arranges for maintenance and repairs of said vehicles.
- U. Complies with record retention and destruction procedures in compliance with Illinois Local Records Act and adheres to all work and safety policies.
- V. Maintains regular attendance and punctuality.
- W. Maintains positive and professional working relationships with Kendall County's employees, vendors, and the public.
- X. Attends conferences, seminars, training, meetings and prepares reports as needed.
- Y. Maintains regular communication with supervisor.
- Z. Performs other duties, as assigned.

III. Supervisory Responsibilities:

This job has no supervisory responsibility.

IV. Qualifications:

To perform this job successfully, an individual must be able to perform all essential duties satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required for the position.

A. Language Skills:

1. Ability to research, read, and interpret documents and simple instructions.
2. Ability to prepare documents, reports, citations, and correspondence.
3. Ability to speak effectively with the public, employees, outside entities, vendors, and the County's elected officials in both one-on-one and group settings.
4. Requires proficient knowledge of the English language, spelling and grammar.

B. Mathematical Skills:

1. Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals.
2. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.
3. Ability to count money and make change.
4. Ability to prepare and analyze statistical data and reports.

C. Reasoning Ability:

1. Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form.
2. Ability to deal with problems involving several variables in standardized situations.
3. Ability to independently work to project completion and follow guidance.

Kendall County Job Description

4. Ability to listen, understand information and ideas, and to work effectively with County personnel, elected officials, vendors, and the public.

D. Certificates, Licenses, and Registrations:

1. Current and valid Driver's License and good driving record is required.
2. Must have or obtain certification by ICC or a comparable organization as a qualified building official or inspector of residential and non-residential structures before the conclusion of the probationary period of employment.
3. Any and all other certificates and registrations as required for the specific duties performed.

E. Skills, Knowledge, and Abilities:

1. Strong organizational skills and attention to detail.
2. Knowledge of zoning and related regulations and of the provisions of the County Zoning Ordinance.
3. Knowledge of the principles and practices of construction, repair and land survey.
4. Knowledge of construction, development regulations, and building plans, trades and codes including BOCA, CABO, National Electric Code, and others.
5. Ability to comprehend complex code problems, to identify alternative solutions and prepare appropriate recommendations.
6. Knowledge of building and property maintenance codes and ordinances.
7. Ability to analyze and interpret plans and determine whether plans conform to the provisions of applicable codes and ordinances.
8. Basic knowledge of the County geography.
9. Knowledge of applicable federal, state and local laws, rules, regulations, codes and/or statutes.
10. Ability to investigate code violation complaints.
11. Ability to work with confidential information.
12. Ability to establish and maintain effective working relationships with Department staff, other Departments, Elected Officials and others such as contractors and the general public.
13. Ability to use MS Word Excel, Outlook, PowerPoint, and Teams.
14. Ability to manage projects and multiple priorities simultaneously.

F. Education and Experience:

1. A minimum of a high school diploma, general education degree (GED), or equivalent is required.
2. A minimum of at least four (4) years in construction and building experience is required.
3. A minimum of at least two (2) years building/code inspector experience is preferred

V. Physical Demands:

While performing the duties of this job, the employee must be able to:

1. Frequently sit for hours in meetings, office and/or in a vehicle;

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2. Occasionally lift and/or move up to 40 pounds;
3. Frequently lift and/or move up to 10 pounds;
4. Stand and walk on uneven ground and at development sites;
5. Use hands to grip, handle, push, and feel;
6. Reach, push and pull with one and/or both hands and arms;
7. Bend over at the waist and reach with one and/or both hands and arms;
8. Climb and balance at development sites;
9. Able to climb and work from ladders, scaffolding, and personal lifts;
10. Stoop, kneel, crouch, and/or crawl;
11. Talk and hear in person and via use of telephone;
12. Must be able to safely and proficiently use Kendall County vehicles and all other equipment needed to person assigned job duties
13. Specific vision abilities include close and distance vision, depth perception; and
14. Travel independently to development sites, public hearings and other meetings and other locations both within and outside Kendall County, Illinois.

VI. Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee is subject to the following working conditions:

1. Inside and outside environmental conditions, which includes during extreme weather.
2. Will be exposed to driving and onsite construction conditions.
3. May be exposed to dust, fumes, odors, mold, smoke, gases, and chemicals.
4. The noise level in the work environment varies from quiet to noisy.
5. The employee must be able to perform all assigned job duties during normal business hours and outside of normal business hours.
6. Employee may be exposed to stressful situations while working with elected officials, consultants, attorneys, applicants, and the general public.
7. Employee may be required to provide own transportation to travel to and from meetings, training, conferences, etc.

By signing my name below, I hereby affirm that I received a copy of this job description.

Employee Receipt Acknowledgement & Signature

Date

Signature of Supervisor

Date

cc: personnel file, employee

Kendall County Job Description

TITLE: Code Official
DEPARTMENT: Planning, Building and Zoning (PBZ)
SUPERVISED BY: Director
FULL TIME/PART TIME: Part Time
FLSA STATUS: Non-Exempt
UNION STATUS: Non-Union
APPROVED/REVISED: October 15, 2019 (revised – in process)

I. Position Summary:

Under the supervision of the PBZ Director, this position manages, coordinates, and conducts building related activities related to the Kendall County Zoning Ordinance and other applicable local, state, and federal building and zoning regulations. Under general supervision, the Code Official performs work of moderate difficulty in reviewing building permit applications, plan review, and inspecting new and existing structures for compliance with all applicable codes and ordinances.

II. Essential Duties and Responsibilities:

- A.** Explains, applies, and enforces the Kendall County Zoning Ordinance and all other applicable local, state and federal building and zoning codes, ordinances and regulations.
- B.** Interprets and applies all provisions of the building, electrical, plumbing, and related codes and advises the Planning, Building, and Zoning Committee on building code matters.
- C.** Enforces zoning, subdivision, flood plain, building, erosion control, storm water management, and related codes at county, state, and national levels.
- D.** Performs plan reviews and inspections and issues permits accordingly.
- E.** Researches and updates pending building code revisions.
- F.** Coordinates with the Office Assistant to schedule inspections and manage the inspection calendar.
- G.** Coordinates outside plan reviewers to schedule and perform inspections in their absence.
- H.** Consults with and advises property owners, builders, architects, engineers, attorneys, surveyors, to ensure project compliance.
- I.** Responds to technical inquiries regarding code and ordinance interpretation.
- J.** Prepares and issues building and sign permits.
- K.** Reviews permit applications, plans, drawings, and other documents for completeness, accuracy, and code compliance.
- L.** Performs final inspection of construction projects at completion and issues certificates of occupancy.
- M.** Conducts investigations of alleged violations such as non-permitted construction, excavation, trailers, dumping, fences, signs, junk vehicles, and weeds, permitted signs and mobile homes, campground and building inspections, etc.
- N.** Prepares and issues ordinance violation citations, as authorized by applicable Kendall County ordinances, and provides testimony in legal proceedings regarding such violations.
- O.** Performs property record searches to determine accuracy of data such as location, ownership, district, and legal description.
- P.** Evaluates the building code compliance process and provides recommendations for improvements to County building and zoning related procedures, which

Kendall County Job Description

recommendations are given particular weight by the final decision-maker.

- Q.** Prepares and maintains records regarding and relating to all job duties performed by the Code Official including, but not limited to, inspection logs, photographs of violations, reports of findings, records of permits, plan reviews, inspections, etc.
- R.** Travels throughout Kendall County to perform assigned job duties.
- S.** Operates Kendall County vehicles safely and arranges for maintenance and repairs of said vehicles.
- T.** Complies with record retention and destruction procedures in compliance with Illinois Local Records Act and adheres to all work and safety policies.
- U.** Maintains regular attendance and punctuality.
- V.** Maintains positive and professional working relationships with Kendall County's employees, vendors, and the public.
- W.** Attends conferences, seminars, training, meetings and prepares reports as needed.
- X.** Maintains regular communication with supervisor.
- Y.** Performs other duties, as assigned.

III. Supervisory Responsibilities:

This job has no supervisory responsibility.

IV. Qualifications:

To perform this job successfully, an individual must be able to perform all essential duties satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required for the position.

A. Language Skills:

1. Ability to research, read, and interpret documents and simple instructions.
2. Ability to prepare documents, reports, citations, and correspondence.
3. Ability to speak effectively with the public, employees, outside entities, vendors, and the County's elected officials in both one-on-one and group settings.
4. Requires proficient knowledge of the English language, spelling and grammar.

B. Mathematical Skills:

1. Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals.
2. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.
3. Ability to count money and make change.
4. Ability to prepare and analyze statistical data and reports.

C. Reasoning Ability:

1. Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form.
2. Ability to deal with problems involving several variables in standardized situations.
3. Ability to independently work to project completion and follow guidance.
4. Ability to listen, understand information and ideas, and to work effectively with County personnel, elected officials, vendors, and the public.

Kendall County Job Description

D. Certificates, Licenses, and Registrations:

1. Current and valid Driver's License and good driving record is required.
2. Must have or obtain certification by ICC or a comparable organization as a qualified building official or inspector of residential and non-residential structures before the conclusion of the probationary period of employment.
3. Any and all other certificates and registrations as required for the specific duties performed.

E. Skills, Knowledge, and Abilities:

1. Strong organizational skills and attention to detail.
2. Knowledge of zoning and related regulations and of the provisions of the County Zoning Ordinance.
3. Knowledge of the principles and practices of construction, repair and land survey.
4. Knowledge of construction, development regulations, and building plans, trades and codes including BOCA, CABO, National Electric Code, and others.
5. Ability to comprehend complex code problems, to identify alternative solutions and prepare appropriate recommendations.
6. Knowledge of building and property maintenance codes and ordinances.
7. Ability to analyze and interpret plans and determine whether plans conform to the provisions of applicable codes and ordinances.
8. Basic knowledge of the County geography.
9. Knowledge of applicable federal, state and local laws, rules, regulations, codes and/or statutes.
10. Ability to investigate code violation complaints.
11. Ability to work with confidential information.
12. Ability to establish and maintain effective working relationships with Department staff, other Departments, Elected Officials and others such as contractors and the general public.
13. Ability to use MS Word Excel, Outlook, PowerPoint, and Teams.
14. Ability to manage projects and multiple priorities simultaneously.

F. Education and Experience:

1. A minimum of a high school diploma, general education degree (GED), or equivalent is required.
2. A minimum of at least four (4) years in construction and building experience is required.
3. A minimum of at least two (2) years building/code inspector experience is preferred

V. Physical Demands:

While performing the duties of this job, the employee must be able to:

1. Frequently sit for hours in meetings, office and/or in a vehicle;
2. Occasionally lift and/or move up to 40 pounds;
3. Frequently lift and/or move up to 10 pounds;

Kendall County Job Description

4. Stand and walk on uneven ground and at development sites;
5. Use hands to grip, handle, push, and feel;
6. Reach, push and pull with one and/or both hands and arms;
7. Bend over at the waist and reach with one and/or both hands and arms;
8. Climb and balance at development sites;
9. Able to climb and work from ladders, scaffolding, and personal lifts;
10. Stoop, kneel, crouch, and/or crawl;
11. Talk and hear in person and via use of telephone;
12. Must be able to safely and proficiently use Kendall County vehicles and all other equipment needed to person assigned job duties
13. Specific vision abilities include close and distance vision, depth perception; and
14. Travel independently to development sites, public hearings and other meetings and other locations both within and outside Kendall County, Illinois.

VI. Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee is subject to the following working conditions:

1. Inside and outside environmental conditions, which includes during extreme weather.
2. Will be exposed to driving and onsite construction conditions.
3. May be exposed to dust, fumes, odors, mold, smoke, gases, and chemicals.
4. The noise level in the work environment varies from quiet to noisy.
5. The employee must be able to perform all assigned job duties during normal business hours and outside of normal business hours.
6. Employee may be exposed to stressful situations while working with elected officials, consultants, attorneys, applicants, and the general public.
7. Employee may be required to provide own transportation to travel to and from meetings, training, conferences, etc.

By signing my name below, I hereby affirm that I received a copy of this job description.

Employee Receipt Acknowledgement & Signature

Date

Signature of Supervisor

Date

cc: personnel file, employee



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: May 8, 2023

Amount: N/A

Budget: N/A

Issue: Petition 23-12 Request from the Kendall County Planning Building and Zoning Committee for Text Amendments By Amending the Zoning Regulations Pertaining to Commercial Solar Energy Facilities, Commercial Wind Energy Facilities, Test Solar Energy Facilities, Test Wind Towers, Small Wind Energy Systems, Private Solar Energy Systems, Commercial Wind Farms, Solar Gardens, and Solar Farms

Background and Discussion:

In January 2023, the Illinois General Assembly approved and the Governor signed House Bill 4412 pertaining to commercial wind and solar energy systems. The new law requires that the County update its solar and wind regulations by May 27, 2023, in order to be able to have regulations governing commercial solar energy facilities and commercial wind energy facilities.

The summary of changes is attached.

The record for the Petition can be found here,
<https://www.kendallcountyil.gov/home/showpublisheddocument/26225/638156051033130000>

The draft ordinance is attached.

Committee Action:

ZPAC-Neutral (9-0-1); RPC-Approval (8-0-2); ZBA Approval with a Condition Requiring Drainage Districts to be Notified by Certified Mail at the Time of Application Submittal (6-0-1); Townships-No Comments; PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: May 9, 2023

Summary of Changes

1. Various definitions related to solar and wind energy facilities are proposed to be amended, added, and deleted. Many terms are defined in State law and were referenced as such. The definitions of solar farm and solar gardens were removed. The definitions of solar energy system, private and wind energy system, small were adjusted to reflect State law. Onsite consumption would include energy generated within a subdivision, planned development, or business park and consumed within the development.
2. Small wind energy systems would become permitted accessory uses. They would be added to the list of uses in the R-3 in addition to their existing allowance in the A-1, R-1, R-2, RPD, Business, and Manufacturing Districts. Solar energy system, private would become permitted uses in all zoning districts.
3. Commercial solar energy facilities, test solar energy systems, commercial energy wind facilities and test wind towers would become special uses in the A-1, R-1, RPD Districts, and Manufacturing Districts.
4. Adding a statement that the regulations do not apply to commercial wind energy facilities within one point five (1.5) miles of a municipality, unless the County has an Intergovernmental Agreement with the municipality to provide zoning services to the municipality. Staff added a requirement that solar and wind energy facilities within one point five (1.5) miles of a municipality must either annex to the municipality or enter into a pre-annexation agreement with the municipality using the Chatham annexation rules.
5. Add a requirement that the County Board shall make its decision on the application not more than thirty (30) days after the conclusion of the public hearing.
6. As proposed, the new setbacks would follow State law.
7. As proposed changes in setbacks, certain height requirements for solar, and fencing requirements would be allowed if nonparticipating property owners consent to these requirements. As proposed, the changes would be allowed to occur if documentation was provided at the time of application submittal.
8. As proposed, sound regulations would follow State law.
9. As proposed, agricultural impact mitigation agreements have to be submitted with the application instead of prior to the hearing.
10. The County's landscaping requirements were adjusted to reflect the law.
11. Statements requiring compliance with EcoCat reports, Fish and Wildlife Service reports, and Illinois State Historic Preservation consultations were added to the Zoning Ordinance.
12. Statements regarding road use agreements were adjusted to reflect the law.
13. Language was added related to the enforcement of damaged drain systems.

ORDINANCE NUMBER 2023-_____

TEXT AMENDMENTS PERTAINING TO THE REGULATION OF COMMERCIAL SOLAR ENERGY FACILITIES, COMMERCIAL WIND ENERGY FACILITIES, TEST SOLAR ENERGY FACILITIES, TEST WIND TOWERS, SMALL WIND ENERGY SYSTEMS, PRIVATE SOLAR ENERGY SYSTEMS, COMMERCIAL WIND FARMS, SOLAR GARDENS, AND SOLAR FARMS IN THE KENDALL COUNTY ZONING ORDINANCE

WHEREAS, Public Act 102-1123, enacted by the State of Illinois on January 27, 2023, amended the Illinois Counties Code by allowing counties to establish certain zoning and permitting regulations for commercial solar energy facilities, commercial wind energy facilities, test solar energy facilities, and test wind towers; and

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve text amendments and provides the procedure through which text amendments are granted; and

WHEREAS, the Kendall Planning, Building and Zoning Committee, hereinafter be referred to as “Petitioner”, desires to have regulations for commercial solar energy facilities, commercial wind energy facilities, test solar energy facilities, and test wind towers in compliance with Public Act 102-1123; and

WHEREAS, on February 9, 2023, the Petitioner submitted text amendments to the Kendall County Zoning Ordinance amending, adding, and deleting regulations pertaining to commercial solar energy facilities, commercial wind energy facilities, test solar energy facilities, test wind towers, small wind energy systems, private solar energy systems, commercial wind farms, solar gardens, and solar farms; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on March 2, 2023, the Kendall County Zoning Board of Appeals conducted a public hearing on March 27, 2023, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested text amendments and zero members of the public testified in favor or in opposition to the request and two members of the public asked questions and provided suggested amendments regarding aspects of the proposal; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the text amendments on March 27, 2023, with an amendment requiring Petitioners for commercial wind and commercial solar projects to notify the drainage district, if the property is in a drainage district, of the proposal by certified, return receipt mail and that proof of the mailing be submitted at the time of application; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing, and has forwarded to the Kendall County Board a recommendation of approval of the requested text amendments; and

WHEREAS, the Kendall County Board has considered the recommendations of the Planning, Building and Zoning Committee and the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS,
that the Kendall County Zoning Ordinance be amended as follows:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Amended Text: Section 3:02 of the Kendall County Zoning Ordinance is hereby amended by deleting the following terms:

Grid-Interie Solar Energy System.
Ground Mount Solar Energy System.
Passive Solar Energy System.
Photovoltaic System.
Solar Access.
Solar Energy Easement.
Solar Energy System Addition.
Solar Farm.
Solar Garden.
Solar Heat Exchanger.
Solar Mounting Devices.
Solar Storage Unit.
Wind Farm, Commercial.

- III. Amended Text: Section 3:02 of the of the Kendall County Zoning Ordinance is hereby amended by deleting the present definition of Building Integrated Solar Energy System replacing it with the following:

“BUILDING-INTEGRATED SOLAR ENERGY SYSTEMS. An active solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building-integrated systems include but are not limited to photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.”

- IV. Amended Text: Section 3:02 of the of the Kendall County Zoning Ordinance is hereby amended by deleting the present definition of Solar Energy System, Private and replacing it with the following:

“SOLAR ENERGY SYSTEM, PRIVATE. A collection of one (1) or more solar collectors designed for use by the occupant(s) of the zoning lot, planned development, commercial and industrial park, or subdivision on which or in which said system is located; excess power generation is limited to net metering or similar technology with regulations set by the local power utility, community, county, and state. Private solar energy system equipment shall conform to applicable industry standards, and applicants for building permits for private solar energy systems shall submit certificates from equipment manufacturers that the equipment is manufactured in compliance with industry standards.”

- V. Amended Text: Section 3:02 of the of the Kendall County Zoning Ordinance is hereby amended by deleting the present definition of Wind Energy System, Small and replacing it with the following:

“WIND ENERGY SYSTEM, SMALL A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity that does not meet the kilowatt capacity in total nameplate generating capacity as defined by 55 ILCS 5/5-12 and which is intended to primarily reduce onsite consumption of utility power. If all applicable regulations are met a small wind energy system may contain more than one wind energy conversion system. This system may power properties in planned developments, commercial and industrial parks, or subdivisions on which or in which said system is located.”

- VI. Amended Text: Section 3:02 of the of the Kendall County Zoning Ordinance is hereby amended by adding the following terms in the appropriate places alphabetically to the list of definitions:

“COMMERCIAL SOLAR ENERGY FACILITY. Shall have the same meaning as defined in 55 ILCS 5/5-12.”

“COMMERCIAL WIND ENERGY FACILITY. Shall have the same meaning as defined in 55 ILCS 5/5-12.”

“FACILITY OWNER. For the purposes of commercial solar energy facilities and commercial wind energy facilities, a facility owner shall have the same meaning defined in 55 ILCS 5/5-12.”

“NONPARTICIPATING PROPERTY. For the purposes of commercial solar energy facilities and commercial wind energy facilities, a nonparticipating property shall have the same meaning as defined in 55 ILCS 5/5-12.”

“NONPARTICIPATING RESIDENCE. For the purposes of commercial solar energy facilities and commercial wind energy facilities, a nonparticipating residence shall have the same meaning as defined in 55 ILCS 5/5-12.”

“OCCUPIED COMMUNITY BUILDING. For the purposes of commercial solar energy facilities and commercial wind energy facilities, an occupied community building shall have the same meaning as defined in 55 ILCS 5/5-12.”

“PARTICIPATING PROPERTY. For the purposes of commercial solar energy facilities and commercial wind energy facilities, a participating property shall have the same meaning as defined in 55 ILCS 5/5-12.”

“PARTICIPATING RESIDENCE. For the purposes of commercial solar energy facilities and commercial wind energy facilities, a participating residence shall have the same meaning as defined in 55 ILCS 5/5-12.”

“PROTECTED LANDS. For the purposes of commercial solar energy facilities and commercial wind energy facilities, protected lands shall have the same meaning as defined in 55 ILCS 5/5-12.”

“SUPPORTING FACILITIES. For the purposes of commercial solar energy facilities and commercial wind energy facilities, supporting facilities shall have the same meaning as defined in 55 ILCS 5/5-12.”

“WIND TOWER. For the purposes of commercial solar energy facilities and commercial wind energy facilities, a wind tower shall have the same meaning as defined in 55 ILCS 5/5-12.”

VII. Amended Text: Section 4:05.A.12 of the of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

“12. Small wind energy system (Permitted as Accessory Use only in the A-1, R-1, R-2, R-3, and all Business and Manufacturing Districts – may also be approved as part of a Residential Planned Development) subject to the conditions of Section 4:17.”

VIII. Amended Text: Section 4:05.A.13 of the of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

“13. Solar Energy System, Private subject to the conditions of Section 4:18.”

IX. Amended Text: Section 4:17.H of the of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

“H. Visual Effects and Safety. All reasonable visual and safety concerns of adjacent property owners must be resolved before Construction Permit will be issued.”

X. Amended Text: Section 4:18 of the of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

“4:18 SOLAR ENERGY SYSTEM, PRIVATE

A. Roof Mounted for On-Site Energy Consumption. Solar panels located on the roof of an existing structure shall be permitted in all districts. Roof mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted. Roof mounted solar energy systems shall not exceed the maximum allowed height in any zoning district. Roof mounted or building integrated private solar energy systems for residential or business use shall be considered an accessory use in all zoning districts where there is a principal structure and shall meet the regulations of the Kendall County Zoning Ordinance. Roof mounted solar panels used as accessory to agricultural uses and which the energy generated from the solar panels is consumed on-site shall be exempt from building permits. The use of roof mounted solar panels for on-site energy consumption

shall comply with all applicable federal, state, and local laws and the rules of the local electrical utility.

B. Freestanding for On-Site Energy Consumption. Solar panels located on the ground or attached to a framework located on the ground shall be classified as accessory structures in all zoning districts provided that the system is no larger than necessary to provide one hundred twenty percent (120%) of the electrical and/or thermal requirements of the structure, planned development, commercial and industrial park, or subdivision to which it is accessory as determined by a contractor licensed to install photovoltaic and thermal solar energy systems. Freestanding solar energy systems, private may be the first structure constructed on lots zoned residential, business, or manufacturing. Freestanding solar panels shall be permitted if they comply with the standards listed in the Kendall County Zoning Ordinance. Ground or pole mounted solar energy systems shall not exceed the maximum height, when oriented at maximum tilt, for the zoning district in which it is located. Freestanding solar panels used as accessory to agricultural uses and which the energy generated from the solar panels is consumed on-site shall be exempt from building permits. The use of freestanding solar panels for on-site energy consumption shall comply with all applicable federal, state, and local laws and the rules of the local electrical utility.

C. Setback Requirements. Unless otherwise stated in the Kendall County Zoning Ordinance, the setback requirements for all solar energy systems shall meet the structure minimum setback requirements when the solar energy system is oriented at any and all positions. No solar energy system shall be located in any front yard of any residentially zoned or used property.

D. Design Standards. Active solar energy systems shall be designed to conform to the County's Land Resource Management Plan and to blend into the architecture of the building or may be required to be screened from the routine view from public rights-of-way other than alleys. Screening may be required to the extent it does not affect the operation of the system. The color of the solar collector is not required to be consistent with other roofing materials.

1. Building integrated photovoltaic solar energy systems shall be allowed regardless of whether the system is visible from the public right-of-way, provided the building component in which the system is integrated meets all required setback, land use or performance standards for the district in which the building is located.
2. Solar energy systems using roof mounting devices or ground-mount solar energy systems shall not be restricted if the system is not visible from the closest edge of any public right-of-way or immediately adjacent to a residential structure.
3. All solar energy systems using a reflector to enhance solar production shall minimize glare from the reflector affecting adjacent or nearby properties. Measures to minimize glare include selective placement of the system, screening on the north side of the solar array, modifying the orientation of the system, reducing use of the reflector system, or other remedies that limit glare.

4. Damaged field drain tile shall be repaired or rerouted on a timetable approved by the Kendall County Planning, Building and Zoning Department.

E. Coverage. Roof or building mounted solar energy systems, excluding building-integrated systems, shall allow for adequate roof access for firefighting purposes to the south-facing or flat roof upon which the panels are mounted. Ground-mount private solar energy systems shall be exempt from impervious surface calculations if the soil under the collector is not compacted and maintained in vegetation. Foundations, gravel, or compacted soils are considered impervious.

F. Plan Approval Required. All solar energy systems shall require administrative plan approval by the Kendall County Building Official via the review of the application for a building permit.

1. Plan applications for solar energy systems shall be accompanied by horizontal and vertical (elevation) drawings. The drawings must show the location of the system on the building or on the property for a ground-mount system including the property lines.
2. For all roof-mounted systems other than a flat roof, the elevation must show the highest finished slope of the solar collector and the slope of the finished roof surface on which it is mounted.
3. For flat roof applications, a drawing shall be submitted showing the distance to the roof edge and any parapets on the building shall identify the height of the building on the street frontage side, the shortest distance of the system from the street frontage edge of the building, and the highest finished height of the solar collector above the finished surface of the roof.
4. Applications that meet the design requirements of the Kendall County Zoning Ordinance and do not require an administrative variance shall be granted administrative approval by the Zoning Administrator and not require Planning, Building and Zoning Committee review. Plan approval does not indicate compliance with Building or Electrical Codes.

G. Approved Solar Components. Electric solar energy system components must have a UL listing approved equivalent and solar hot water systems must have an SRCC rating.

H. Compliance with Building Code. All active solar energy systems shall meet approval of County building officials; solar thermal systems shall comply with HVAC-related requirements of the Illinois State Energy Code. All County adopted building codes will apply and take precedence where applicable.

I. Utility Notification. All grid-intertie solar energy systems shall comply with the interconnection requirements of the electric utility. Off-grid systems are exempt from this requirement.

J. Building Permit Requirements and Fees. All solar energy systems will be required to have a Kendall County Building Permit before any work can be started. A written plan and a plat/drawing for the proposed solar energy system shall be provided with the Building Permit Application. The

plat/drawing must show the location of the system on the building or on the property, (for a ground-mount system show arrangement of panels), with all property lines and set back footages indicated. Fees for processing the applications for building permits shall be established by the County Board. Any solar energy system that construction has started before a Building Permit has been applied and paid for will be charged double the permit fee. The above fees do not apply to solar energy systems used to generate energy for on-site consumption of energy for agricultural purposes.

K. Decommissioning Plan.

1. Upon the request of the Kendall County Planning, Building and Zoning Department, an owner of a solar energy system must provide documentation, within thirty (30) days, that the solar energy system is still in use. If the solar energy system is not in use, the owner of the system shall have 180 days, after notification from the Kendall County Planning, Building and Zoning Department, to remove the solar energy system from the property.
2. Decommission of solar panels must occur in the event they are not in use for ninety (90) consecutive days.

L. Other Requirements.

1. No fencing is required; however, if installed on the property the fencing shall have a maximum height of eight feet (8'). The fence shall contain appropriate warning signage that is posted such that is clearly visible on the site.
2. Reflection angles for solar collectors shall be oriented such that they do not project glare onto adjacent properties.
3. Electric solar energy system components must have a UL listing and must be designed with anti-reflective coating(s).
4. Solar energy systems must be in compliance with all State of Illinois Plumbing and Energy Codes.
5. For solar energy systems located within five hundred feet (500') of an airport or within approach zones of an airport, the applicant must complete and provide the results of the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim Policy, FAA Review of Solar Energy Projects on Federally Obligated Airports, or most recent version adopted by the FAA.

M. Applicability. The regulations in this Section apply only to solar energy system, private and do not apply to commercial solar energy facilities.”

XI. Amended Text: Section 7:01.D of the of the Kendall County Zoning Ordinance is hereby amended by adding the following use to appropriate place alphabetically to the list of special uses:

“Commercial Solar Energy Facility and Test Solar Energy Systems subject to the following conditions:

- a. All commercial solar energy facilities and test solar energy systems located within one point five (1.5) miles of a municipality shall either annex to the municipality or obtain an annexation agreement with the municipality requiring the municipality’s regulations to flow through the property.
- b. The setbacks for commercial solar energy facilities shall be measured from the nearest edge of any component of the facility as follows:

Occupied Community Buildings or Dwellings on Nonparticipating Properties	One hundred fifty feet (150’) from the nearest point on the outside wall of the structure
---	---

Boundary Lines of Participating Properties	None
---	------

Boundary Lines of Nonparticipating Properties	Fifty feet (50’) to the nearest point on the property line of the nonparticipating property
--	---

Public Road Rights-Of-Way	Fifty feet (50’) from the nearest edge
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The above setbacks do not exempt or excuse compliance with electric facility clearances approved or required by the National Electrical Code, the National Electrical Safety Code, Illinois Commerce Commission, Federal Energy Regulatory Commission, and their designees or successors.

- c. A commercial solar energy facility’s perimeter shall be enclosed by fencing having a height of at least six feet (6’) and no more than twenty-five feet (25’).
- d. No component of a solar panel as part of a commercial solar energy facility shall have a height of more than twenty feet (20’) above ground when the solar energy facility’s arrays are at full tilt.
- e. The above setback, fencing, and component height requirements may be waived subject to written consent of the owner of each affected nonparticipating property. This written consent shall be submitted at the time of application submittal.
- f. Sound limitations for components in commercial solar energy facilities shall follow the sound

limitations established by the Illinois Pollution Control Board.

- g. The County shall not require standards for construction, decommissioning, or deconstruction of a commercial solar energy system or related financial assurances to be more restrictive than agricultural impact mitigation agreement set in State law. The amount of any decommissioning payment shall be limited to the cost identified in the decommissioning or deconstruction plan, as required by the agricultural impact mitigation agreement, minus the salvage value of the project. A copy of the agricultural impact mitigation agreement shall be submitted with the application materials.
- h. A vegetative screening shall be placed around the commercial solar energy facility.
- i. Commercial solar energy facility applicants shall provide the results and recommendations from consultations with the Illinois Department of Natural Resources obtained through the Ecological Compliance Assessment Tool (EcoCat) or a comparable successor tool. The commercial solar energy facility applicant shall adhere to the recommendations provided through this consultation.
- j. Commercial solar energy facility applicants shall provide the results of the United States Fish and Wildlife Service's Information for Planning and Consulting environmental review or a comparable successor toll that is consistent with the U.S. Fish and Wildlife Service's Land-Based Wind Energy Guidelines and any applicable United States Fish and Wildlife Service solar wildlife guidelines that have been subject to public review.
- k. A facility owner shall demonstrate avoidance of protected lands as identified by the Illinois Department of Natural Resources and the Illinois Nature Preserve Commission or consider the recommendations of the Illinois Department of Natural Resources for setbacks from protected lands, including areas identified by the Illinois Nature Preserve Commission.
- l. A facility owner shall provide evidence at the time of application submittal of consultation with the Illinois State Historic Preservation Office to assess potential impacts on State-registered historic sites under applicable State law.
- m. A commercial solar energy facility owner shall plant, establish, and maintain for the life of the facility vegetative ground cover consistent with State law and the guidelines of the Illinois Department of Natural Resources' vegetative management plans. The vegetation management plan shall be required at the time of application submittal.
- n. The facility owner shall enter into a road use agreement with the jurisdiction having control over the applicable roads. The road use agreement shall follow applicable law. The facility owner shall supply the Kendall County Planning, Building and Zoning Department with a copy of the road use agreement. This provision shall be waived if the jurisdiction having control over the applicable roads does not wish to enter into an agreement.
- o. The facility owner shall repair or pay for the repair of all damage to the drainage system caused by the construction of the commercial solar energy system within a reasonable time after construction of the commercial solar energy facility is complete. The specific time shall be set in the special use permit."

XII. Amended Text: Section 7:01.D of the of the Kendall County Zoning Ordinance is hereby amended by adding the following use to appropriate place alphabetically to the list of special uses:

“Commercial Wind Energy Facility and Test Wind Towers subject to the following conditions:

- a. The following conditions apply to all commercial wind energy facilities located outside the one point five (1.5) mile zoning jurisdiction of municipalities and within the one point five (1.5) mile zoning jurisdictions of municipalities under intergovernmental agreements with the County for zoning services. All commercial wind energy facilities located within one point five (1.5) miles of a municipality shall either annex to the municipality or obtain an annexation agreement with the municipality requiring the municipality’s regulations to flow through the property, unless not required to do so by applicable law.
- b. The setbacks for wind towers as measured from the center of the base of the wind tower shall be as follows:

Occupied Community Buildings or Nonparticipating Residences	Two point one (2.1) times the maximum blade tip height of the wind tower to the nearest point on the outside wall of the structure
Participating Residences	One point one (1.1) times the maximum blade tip height of the wind tower to the nearest point on the outside wall of the structure
Boundary Lines of Participating Properties	None
Boundary Lines of Nonparticipating Properties	One point one (1.1) times the maximum blade tip height of the wind tower to the nearest point on the property line of the nonparticipating property
Public Road Rights-Of-Way	One point one (1.1) times the maximum blade tip height of the wind tower to the center point of the public road right-of-way

Overhead Communication and
Electric Transmission and
Distribution Facilities (Not Including
Overhead Utility Service Lines to
Individual Homes or Outbuildings)

One point one (1.1) times the
maximum blade tip height of the
wind tower to the nearest edge of the
property line, easement, or right-of-
way containing the overhead line

Overhead Utility Service Lines to
Individual Houses or Outbuildings

None

Fish and Wildlife Areas and Illinois
Nature Preserve Commission
Protected Lands

Two point one (2.1) times the
maximum blade tip height of the
wind tower to the nearest point on
the property line of the fish and
wildlife or protected land

The above setbacks do not exempt or excuse compliance with electric facility clearances approved or required by the National Electrical Code, the National Electrical Safety Code, Illinois Commerce Commission, Federal Energy Regulatory Commission, and their designees or successors.

A wind tower of a commercial wind energy facility shall be sited so that industry standard computer modeling indicates that any occupied community building or nonparticipating residence will not experience more than thirty (30) hours per year of shadow flicker under planned operating conditions.

The above setback may be waived subject to written consent of the owner of each affected nonparticipating property. This written consent shall be submitted at the time of application submittal.

- c. Sound limitations for wind towers in commercial wind energy facilities shall follow the sound limitations established by the Illinois Pollution Control Board.
- d. The County shall not require standards for construction, decommissioning, or deconstruction of a commercial wind energy system or related financial assurances to be more restrictive than agricultural impact mitigation agreement set in State law. The amount of any decommissioning payment shall be limited to the cost identified in the decommissioning or deconstruction plan, as required by the agricultural impact mitigation agreement, minus the salvage value of the project. A copy of the agricultural impact mitigation agreement shall be submitted with the application materials.

- e. A vegetative screening shall be placed around the commercial wind energy facility.
- f. The commercial wind energy facility shall follow applicable federal regulations pertaining to blade tip height maximums.
- g. Commercial wind energy systems applicants shall provide the results and recommendations from consultations with the Illinois Department of Natural Resources obtained through the Ecological Compliance Assessment Tool (EcoCat) or a comparable successor tool. The commercial wind energy system applicant shall adhere to the recommendations provided through this consultation.
- h. Commercial wind energy systems applicants shall provide the results of the United States Fish and Wildlife Service's Information for Planning and Consulting environmental review or a comparable successor toll that is consistent with the U.S. Fish and Wildlife Service's Land-Based Wind Energy Guidelines and any applicable United States Fish and Wildlife Service solar wildlife guidelines that have been subject to public review.
- i. A facility owner shall demonstrate avoidance of protected lands as identified by the Illinois Department of Natural Resources and the Illinois Nature Preserve Commission or consider the recommendations of the Illinois Department of Natural Resources for setbacks from protected lands, including areas identified by the Illinois Nature Preserve Commission.
- j. A facility owner shall provide evidence at the time of application submittal of consultation with the Illinois State Historic Preservation Office to assess potential impacts on State-registered historic sites under applicable State law.
- k. The facility owner shall enter into a road use agreement with the jurisdiction having control over the applicable roads. The road use agreement shall follow applicable law. The facility owner shall supply the Kendall County Planning, Building and Zoning Department with a copy of the road use agreement. This provision shall be waived if the jurisdiction having control over the applicable roads does not wish to enter into an agreement.
- l. The facility owner shall repair or pay for the repair of all damage to the drainage system caused by the construction of the commercial wind energy system within a reasonable time after construction of the commercial wind energy facility is complete. The specific time shall be set in the special use permit."

XIII. Amended Text: Section 7:01.D of the of the Kendall County Zoning Ordinance is hereby amended by adding deleting the following uses from the appropriate places alphabetically from the list of special uses:

Solar Gardens.

Solar Farms.

Wind, Farms Commercial

XIV. Amended Text: Section 7:01.E of the of the Kendall County Zoning Ordinance is hereby amended by adding deleting the following use from the appropriate place alphabetically from the list of conditional uses:

Small Wind Energy Systems.

XV. Amended Text: Section 8:02.B of the of the Kendall County Zoning Ordinance is hereby amended by adding deleting the following use from the appropriate place alphabetically from the list of conditional uses:

Small Wind Energy Systems.

XVI. Amended Text: Section 8:02.C of the of the Kendall County Zoning Ordinance is hereby amended by adding the following uses to the appropriate places alphabetically to the list of special uses:

“Commercial Solar Energy Facility and Test Solar Energy Systems subject to the conditions contained in Section 7:01.D.”

“Commercial Wind Energy Facility and Test Wind Towers subject to the conditions contained in Section 7:01.D.”

XVII. Amended Text: Section 8:03.G.2.d of the of the Kendall County Zoning Ordinance is hereby amended by adding deleting the following use from the appropriate place alphabetically from the list of conditional uses:

Small Wind Energy Systems.

XVIII. Amended Text: Section 8:03.H.1.o of the of the Kendall County Zoning Ordinance is hereby amended by deleting the following use in the appropriate place alphabetically from the list of special uses:

Solar Gardens.

XIX. Amended Text: Section 8:03.H.1 of the of the Kendall County Zoning Ordinance is hereby amended by adding the following uses to the appropriate places alphabetically to the list of special uses:

“Commercial Solar Energy Facility and Test Solar Energy Systems subject to the conditions contained in Section 7:01.D.”

“Commercial Wind Energy Facility and Test Wind Towers subject to the conditions contained in Section 7:01.D.”

XX. Amended Text: Section 8:06.B.1 of the of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

“Any use permitted as a special use in the R-1 One-Family Estate Residence District, Section 8:02.C, except Commercial Solar Energy Facilities, Test Solar Energy Facilities, Commercial Wind Energy Facilities, and Test Wind Towers, and that Planned Developments may be considered where the zoning lot proposed for development has a gross area of not less than forty (40) acres.”

XXI. Amended Text: Section 8:06.C of the of the Kendall County Zoning Ordinance is hereby amended by adding deleting the following use from the appropriate place alphabetically from the list of conditional uses:

Small Wind Energy Systems.

XXII. Amended Text: Section 8:07.B.1 of the of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

“Any use permitted as a special use in the R-1 One-Family Estate Residence District, Section 8:02.C, except Commercial Solar Energy Facilities, Test Solar Energy Facilities, Commercial Wind Energy Facilities, and Test Wind Towers, and that Planned Developments may be considered where the zoning lot proposed for development has a gross area of not less than forty (40) acres.”

XXIII. Amended Text: Section 8:08.B of the of the Kendall County Zoning Ordinance is hereby amended by deleting the following use in the appropriate place alphabetically from the list of special uses:

Solar Gardens.

XXIV. Amended Text: Section 9:01.C of the of the Kendall County Zoning Ordinance is hereby amended by deleting the following use in the appropriate place alphabetically from the list of special uses:

Solar Gardens.

XXV. Amended Text: Section 9:01.D of the of the Kendall County Zoning Ordinance is hereby amended by adding deleting the following use from the appropriate place alphabetically from the list of conditional uses:

Small Wind Energy Systems.

XXVI. Amended Text: Section 9:02.C of the of the Kendall County Zoning Ordinance is hereby amended by deleting the following use in the appropriate place alphabetically from the list of special uses:

XXVII. Amended Text: Section 9:02.D of the of the Kendall County Zoning Ordinance is hereby amended by adding deleting the following use from the appropriate place alphabetically from the list of conditional uses:

Small Wind Energy Systems.

XXVIII. Amended Text: Section 9:03.C of the of the Kendall County Zoning Ordinance is hereby amended by deleting the following use in the appropriate place alphabetically from the list of special uses:

Solar Gardens.

XXIX. Amended Text: Section 9:04.C of the of the Kendall County Zoning Ordinance is hereby amended by deleting the following use in the appropriate place alphabetically from the list of special uses:

Solar Gardens.

XXX. Amended Text: Section 9:04.D of the of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

“Reserved.”

XXXI. Amended Text: Section 9:05.E of the of the Kendall County Zoning Ordinance is hereby amended by deleting the following use in the appropriate place alphabetically from the list of special uses:

Solar Gardens.

XXXII. Amended Text: Section 9:06.D of the of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

“Reserved.”

XXXIII. Amended Text: Section 10:01.C.1 of the of the Kendall County Zoning Ordinance is hereby amended by adding the following uses to the appropriate places alphabetically to the list of special uses:

“Commercial Solar Energy Facility and Test Solar Energy Systems subject to the conditions contained in Section 7:01.D.”

“Commercial Wind Energy Facility and Test Wind Towers subject to the conditions contained in Section 7:01.D.”

XXXIV. Amended Text: Section 10:01.D of the of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

“Reserved.”

XXXV. Amended Text: Section 10:02.D of the of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

“Reserved.”

XXXVI. Amended Text: Section 10:01.C of the of the Kendall County Zoning Ordinance is hereby amended by adding the following uses to the appropriate places alphabetically to the list of special uses:

“Commercial Solar Energy Facility and Test Solar Energy Systems subject to the conditions contained in Section 7:01.D.”

“Commercial Wind Energy Facility and Test Wind Towers subject to the conditions contained in Section 7:01.D.”

XXXVII. Amended Text: Section 10:03.C of the of the Kendall County Zoning Ordinance is hereby amended by deleting the following use in the appropriate place alphabetically from the list of special uses:

Solar Gardens.

XXXVIII. Amended Text: Section 10:03.D of the of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

“Reserved.”

XXXIX. Amended Text: Section 13:08 of the Kendall County Zoning Ordinance is hereby amended by adding the following text:

“4. In cases involving special use permit applications or applications for major amendments to existing special use permits for commercial solar energy facilities and commercial wind energy facilities, the County Board shall make its decision not more than thirty (30) days after the conclusion of the public hearing.”

XL. Amended Text: Appendix 9 of the Kendall County Zoning Ordinance is hereby amended to reflect the addition of Commercial Solar Energy Facility and Test Solar Energy Systems as special uses in the A-1, R-1, RPD-1, RPD-2, RPD-3, M-1, M-2, and M-3 Districts.

XLI. Amended Text: Appendix 9 of the Kendall County Zoning Ordinance is hereby amended to reflect the addition of Commercial Wind Energy Facility and Test Wind Towers as special uses in the A-1, R-1, RPD-1, RPD-2, RPD-3, M-1, M-2, and M-3 Districts.

XLII. Amended Text: Appendix 9 of the Kendall County Zoning Ordinance is hereby amended to reflect the addition of Solar Energy System, Private as permitted use in all zoning districts.

XLIII. Amended Text: Appendix 9 of the Kendall County Zoning Ordinance is hereby amended to change Small Wind Energy Systems to permitted uses in the A-1, R-1, RPD-1, RPD-2, RPD-3, R-2, B-1, B-2, B-3, B-4, B-5, B-6, M-1, M-2, and M-3 Districts.

XLIV. Amended Text: Appendix 9 of the Kendall County Zoning Ordinance is hereby amended to reflect the addition of Small Wind Energy Systems as permitted uses in the R-3 Districts.

XLV. Amended Text: Appendix 9 of the Kendall County Zoning Ordinance is hereby amended to reflect the deletion of Solar Farms, Solar Gardens, and Wind Farms, Commercial from the list of uses within the Kendall County Zoning Ordinance.

XLVI. Any reference or citation errors created by the above text amendments are hereby corrected.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of May, 2023.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: May 8, 2023

Amount: N/A

Budget: N/A

Issue: Petition 23-19 Request from Brent A. Stary and Tracy A. Stary on Behalf of MCB52, Inc. (Property Owner) and Roman Correa on Behalf of R&S Landscaping and Nursery, Inc. (Tenant) for a Special Use Permit for a Landscaping Business, Including Outdoor Storage, and Related Variances at at 5022 Route 126, Yorkville (PINs: 06-18-200-011 and 06-18-200-013) in Na-Au-Say Township; Property is Zoned A-1 Agricultural

Background and Discussion:

The Petitioners would like operate a landscaping business, including having outdoor storage, and related variances at the subject property.

The record for the Petition can be found here,
<https://www.kendallcountyil.gov/home/showpublisheddocument/26646/638187887730790943>

The draft ordinance is attached.

Committee Action:

ZPAC-Approval with Potential Access Change (7-0-3), RPC-Approval with Change to Noise Rules (9-0-1), ZBA-Approval with Change to Noise Rules (7-0-0), Na-Au-Say Township-No Comments; Bristol Kendall Fire District-No Comments; United City of Yorkville-No Comments; PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval with Conditions

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: May 9, 2023

ORDINANCE NUMBER 2023-_____

GRANTING A SPECIAL USE PERMIT FOR A LANDSCAPING BUSINESS, A VARIANCE TO SECTION 4:05.B AND SECTION 11:02.F.7 TO ALLOW OUTDOOR PARKING AND LOADING NO CLOSER THAN TWENTY-FIVE FEET OF THE RIGHT-OF-WAY LINE OF ROUTE 126 AND TO ALLOW HANDICAPPED ACCESSIBLE PARKING NO CLOSER THAN SIXTY- FEET OF THE RIGHT-OF-WAY LINE OF ROUTE 126, A VARIANCE TO SECTION 11:02.F.4 TO ALLOW PARKING SPACES TO BE EIGHTEEN FEET IN DEPTH WITH A TWO FOOT OVERHANG, AND A VARIANCE TO SECTION 4:09.A TO ALLOW THE EXISTING DRIVEWAY ONTO GROVE ROAD TO BE LESS THAN TWENTY FEET IN WIDTH UNTIL SUCH TIME AS THE DRIVEWAY IS REPLACED AT 5022 ROUTE 126, YORKVILLE AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 06-18-200-011 AND 06-18-200-013 IN NA-AU-SAY TOWNSHIP

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to grant special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, Section 7:01.D.30 of the Kendall County Zoning Ordinance permits the operation of landscaping businesses as a special use with certain restrictions in the A-1 Agricultural Zoning District; and

WHEREAS, Section 4:05.B. and Section 11:02.F.7 of the Kendall County Zoning Ordinance restrict the parking and loading of vehicles within certain setbacks; and

WHEREAS, Section 11:02.F.4 of the Kendall County Zoning Ordinance sets the depth of parking spaces at a minimum of twenty feet (20'); and

WHEREAS, Section 4:09.A of the Kendall County Zoning Ordinance sets the width of driveways at a minimum of twenty feet (20'); and

WHEREAS, the property which is the subject of this ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural District and consists of approximately 2.9 acres located at 5022 Route 126 (PINs: 06-18-200-011 and 06-18-200-013), in Na-Au-Say Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and the property shall hereinafter be referred to as “the subject property”; and

WHEREAS, the subject property is owned by MCB52, Inc. as represented by Brent A. Stary and Tracy A. Stary; and

WHEREAS, the R&S Landscaping and Nursery, Inc as represented by Roman Correa has a contract to lease the subject property; and

WHEREAS, MCB52, Inc. and R&S Landscaping and Nursery, Inc. shall hereinafter be referred to as the “Petitioner”; and

WHEREAS, on or about March 21, 2023, Petitioner’s representative filed a petition for a special use permit to allow the operation of landscaping business with outdoor storage, a variance to Section 4:05.B and Section 11:02.F.7 of the Kendall County Zoning Ordinance to handicapped accessible parking and other parking and loading facilities instead the front yard setback, a variance to allow parking stall to be smaller in depth than

allowed by the Kendall County Zoning Ordinance, and a variance to Section 4:09.A. of the Kendall County Zoning Ordinance to allow the existing driveway onto Grove Road to be less than twenty (20') feet in width;

WHEREAS, following due and proper notice by publication in the Beacon News on April 9, 2023, the Kendall County Zoning Board of Appeals conducted a public hearing on May 1, 2023, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner's representative presented evidence, testimony, and exhibits in support of the requested special use permit and variances and zero members of the public testified in favor or in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the special use permit and variances with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated May 1, 2023, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested major amendments to an existing special use permit and variance; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use permit and variances shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition special use permit and variances allowing the operation of a landscaping business on the subject property subject to the following conditions:
 - A. The site shall be developed substantially in accordance with the site plan attached hereto as Exhibit C and landscaping plan attached hereto as Exhibit D.
 - B. Pending approval of the Illinois Department of Transportation, the owners of the business allowed by the special use permit shall have the option to install a right-in, right-out access off of Route 126; signage shown on the site plan attached hereto as Exhibit C may be adjusted to reflect this access.
 - C. A variance to Section 4:05.B and Section 11:02.F.7 of Kendall County Zoning Ordinance shall be granted to allow outdoor parking and loading no closer than twenty-five feet (25') of the right-of-way line of Route 126 and to allow a portion of the accessible parking space to be no closer than sixty-nine feet (69') of the south right-of-way line of Route 126.

- D. A variance to Section 11:02.F.4 of the Kendall County Zoning Ordinance shall be granted to allow parking spaces with a depth of eighteen feet (18') with an overhang of two feet (2').
- E. A variance to Section 4:09.A of the Kendall County Zoning Ordinance shall be granted to allow the existing driveway on Grove Road to be less than twenty feet (20') in width until such time as the driveway is replaced.
- F. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.
- G. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
- H. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
- I. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
- J. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the site plan attached hereto as Exhibit C. The maximum height of the piles of landscaping related material shall be six feet (6') in height.
- K. No retail sale of landscaping materials may occur at the subject property.
- L. A maximum of seventeen (17) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.
- M. The hours of operation of the business allowed by this special use permit shall be daily from 7:00 a.m. until 7:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.
- N. Any structures constructed, installed, or used related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.
- O. Signage shall be limited to the signs shown on the site plan attached hereto as Exhibit C. Signage may be illuminated as outlined on the site plan. Signs within rights-of-way may be relocated to another location on the property if requested by the Illinois Department of Transportation without the need to amend this special use permit. Religious signs in existence on the property at the time of application submittal shall be exempt from permitting requirements.
- P. Except for the lighting around the business sign, the lights shown on the site plan attached hereto as Exhibit C shall be considered for security purposes.
- Q. Damaged or dead plantings described on the landscaping plan attached hereto as Exhibit D

shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.

- R. Any vegetation described on the landscaping plan attached hereto as Exhibit D that has not been installed by the approval date of this special use permit shall be installed within ninety (90) days of the approval of the special use permit. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the vegetation.
- S. The owner of the subject property shall plant trees to fill in the gaps on the western property line as outlined in the landscaping plan attached hereto as Exhibit D. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to plant the screening. The site plan attached hereto as Exhibit C may be adjusted without an amendment to the special use permit to reflect the addition of these trees.
- T. Vegetation related to the operations of a nursery on the property shall be exempted from the planting and vegetation maintenance requirements of this special use permit.
- U. No landscape waste generated off the property can be burned on the subject property.
- V. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

Only those homes in existence or permitted prior to the issuance of the special use permit can file noise complaints.
- W. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.
- X. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
- Y. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
- Z. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

AA. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

3. This special use permit and variances shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special use conducted on the property.
4. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of May, 2023.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Matt Kellogg

Exhibit A

LEGAL DESCRIPTION:

THAT PART OF THE EAST 6 CHAINS OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN WHICH THE WEST LINE OF THE EAST 6 CHAINS OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN INTERSECTS WITH THE SOUTH RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 126, AS LAID OUT AND TRAVELED PER DOCUMENT NO. 201600000859, RECORDED JANUARY 19, 2016; THENCE SOUTH 01 DEGREE 16 MINUTES 05 SECONDS EAST, ALONG SAID WEST LINE, 370.97 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 47 SECONDS EAST 344.16 FEET TO THE WEST LINE OF GROVE ROAD, AS LAID OUT AND TRAVELED PER DOCUMENT NO. 201600000859, RECORDED JANUARY 19, 2016; THENCE NORTH 01 DEGREE 03 MINUTES 25 SECONDS WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, 120.22 FEET; THENCE NORTH 88 DEGREES 55 MINUTES 02 SECONDS EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, 13.58 FEET (13.86 FEET RECORD); THENCE NORTH 00 DEGREES 45 MINUTES 28 SECONDS WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, 225.61 FEET (228.20 FEET RECORD); THENCE NORTH 69 DEGREES 15 MINUTES 57 SECONDS WEST 69.02 (RECORD AND MEASURED) FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID ILLINOIS ROUTE 126; THENCE SOUTH 89 DEGREES 29 MINUTES 47 SECONDS WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 296.20 FEET (RECORD AND MEASURED) TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

COMMONLY KNOWN AS 5022 IL ROUTE 126, YORKVILLE, ILLINOIS.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on May 1, 2023, by a vote of seven (7) in favor and zero (0) in opposition:

FINDINGS OF FACT-SPECIAL USE PERMIT

The Findings of Fact for the special use permit were as follows:

The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. Petitioners plan to preserve existing buildings and the existing sign on the north accessory building. Areas surrounding the property are zoned and used for agricultural purposes. Petitioners plan for drainage and will maintain the existing direction, rate and volume of stormwater flowing in the handful of directions noted in the elevations submitted within the application. Petitioners will reduce use of the Route 126 driveway from full access to emergency right-out only use. The main entrance is sufficiently south of Route 126 and there is ample stacking to make a safe left turn into the main driveway without obstructing left turns from Grove Road onto Route 126. Most of the variances requested relate to existing conditions. The location of the parking, loading and storage yard in the west half of the property relates to the circumstance that all existing buildings are centralized. The avoidance of paving for parking and loading and the loading space variation are the only new development needs for relief from the Zoning Ordinance.

The special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use makes adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The subject property is in a large A-1 Agricultural District. Growing of trees, shrubs and flowers is a form of agricultural use. Growing is one part of the use proposed in the application. The use will not impede farms on the four adjacent and opposing sides of the Property. The use is deemed legislatively compatible because it meets all of the requirements contained in the Zoning Ordinance for landscaping businesses, if permission is granted for outdoor storage of materials. The use at the subject property will meet several purposes for the A-1 district as outlined in Section 7:01.A of the Zoning Ordinance, including the preservation of fertile, tillable soils as a valuable natural resource by recharging soils and groundwater, by respecting grades and by engaging in a mix of soil planting and planting in potters, all the while re-using an existing residential home and outbuildings that have long existed. Reasonable restrictions, including hours of operation, maximum number of employees at the property, noise regulations, and lighting requirements are proposed that will protect the enjoyment and use of other properties in the vicinity.

Adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Restrictions can be placed in the special use permit to address the number of people on the property. No retail customers will be on the property. As such, there are sufficient utilities on the property to handle the proposed uses. The intersection abutting the northeast corner of the Property is sufficiently designed with ample left turn stacking and a stop sign control for traffic crossing Route 126. The existing driveways are sufficiently connected to Grove Road (main driveway) and Route 126 (emergency limited access). Drainage on the property flows in three directions, with most stormwater eventually flowing south down a change in grade of roughly five feet (5'). Petitioners have restored a tile and respected drainage rights under the Illinois Drainage Code in the present placement of cement blocks to allow for the passage of stormwater in the one (1) area of the Property where it flows west and to avoid

redirecting stormwater other than to the south. Otherwise, stormwater flows into the culverts along roadways. A stormwater management permit will be secured.

The special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. Petitioners provided an A-1 Agricultural District Table of Compliance addressing all elements of zoning compliance. Variations are necessary, but these variations are primarily related to preservation of existing buildings, structures, and improvements. New relief related to the loading and storage yard places this activity in an area where there was prior activity west of the smaller barn. The use area will benefit from a continuous screen of trees that have already been planted at a substantial height.

The special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The use involves a commercial operation recognized as the use that will prevail at the property under the Land Resource Management Plan. The proposal is also consistent with a goal and objective found on page 10-11 of the Land Resource Management Plan, "A strong base of agriculture, commercial and industry that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents." "... encourage additional agriculture and agribusiness."

FINDINGS OF FACT-VARIANCE FOR YARD OBSTRUCTIONS AND PARKING AREAS IN SETBACKS

The Findings of Fact for the variance related to yard obstructions and parking areas in setbacks were as follows:

The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The topography and stormwater flow runs west or south. Substantially all of the property south of the driveway from Grove Road is a flow route for storm volume. In attempting to avoid placement of the loading and storage yard away from the intersection and away from Grove Road, the drainage concerns and the loss of benefits of filtration and ground water recharging played a significant role in determining not to locate this yard south of its proposed location. With respect to the location of the existing garage, it is situated behind the house where such a garage would ordinarily exist, but the house was constructed one hundred (100) or more years ago before the expansion of the abutting roadways and the adoption of zoning regulations pertaining to the setback issue. The interior drive has existed for decades and the most logical location for an accessible parking stall is adjacent to the two buildings where an accessible space can be of benefit. The design of the space leaves all but roughly four feet of the space outside of the setback. These circumstances drive a finding in favor of the variations.

The conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Due to the varying topography throughout the County and the circumstance that the property is a corner lot that was improved before 1922, it cannot be said that the concern causing the difficulty and hardship generally prevails in the A-1 Agriculture District.

The alleged difficulty or hardship has not been created by any person presently having an interest in the property. The only new element relates to the parking, loading and storage area. Since the 1920's, the area near Route 126 has been higher land. This is evident in aerial photographs of the topography of the area. Moreover, the use area to be occupied by the parking and loading area is similar to the use area that existed from at least the early 1980's until 2006. Petitioners do not propose the loading and storage area adjacent to the lot line, but plans for it at a distance of fifteen feet (15') from the right-of-way, but in the same area that has the historically higher elevation and the historical use. In plain terms, Petitioners are not the first to recognize this higher elevation and

they did not create it any more than they created the grades, slopes and swales south of the barns that cause the area south of the driveway to be incapable of hosting the loading and storage area without presenting a visual obstruction, placing impermeable or less permeable surface over land that is saturated and helps to recharge groundwater while also filtering stormwater.

The granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. Petitioners propose that none of the outdoor use should be plainly visible to passersby due to the screening.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. One (1) basis for the proposed location of the loading and storage yard is that it avoids placing the area in plain view. The yard will not create shadows or obstruct the flow of air. The yard itself does not contribute to traffic. In fact, it reduces traffic by avoiding excess trips Petitioners would make if they were required to store and load materials elsewhere. The conditions on the special use above also touch on changes to be made if the treeline west of the property no longer exists.

FINDINGS OF FACT-VARIANCE FOR PARKING STALL DEPTH

The Findings of Fact for the variance related to parking stall depth were as follows:

The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The topography of the Property and water concerns led to an effort to avoid as much impervious surface as possible. The request for an adjustment in the parking lot design to allow for the same twenty foot (20') parking space, but with a two foot (2') overhang, and an eighteen foot (18') space from tire to tail of a vehicle, is a di minimus request, but it avoids an extra several hundred feet of pervious surface in an area of storm flow, filtering and recharging.

The conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. While applicable to several properties, this concern is not generally applicable to the A-1 district. The original parcel containing the property was a long, narrow farmstead that extended to the cemetery. Through various transactions, including estate and probate matters, the property was divided so that it became a roughly square lot with the southern one hundred eighty feet (180') being an area of significant surface and subgrade flow during rain events and wet seasons.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. Certainly, parking can be relocated. Nine (9) parking spaces for the use is also more than needed. Petitioners' preference for parking along the south side of the large barn may be personal. However, Petitioners could have placed these on the south side of the driveway and reduced the area of soil that would accept water for filtration and recharging purposes. In planning for this use and similar uses, there is a general design principal that consolidation of buildings, parking and loading is best for the use and for passersby as well as eventual neighbors.

The granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The requested variation has absolutely no impact on public welfare or on property and improvements in this vicinity.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. Petitioners are providing more parking than is necessary for the use. However, the provision of more parking does

not conclusively lead to substantial increases in congestion since we are dealing with parking for only a few vehicles above that which is necessary. Parking on the north line of the interior drive will consolidate activity and also allow vehicles to park in a line where they will not be as noticeable to traffic on either abutting street. The variation should impact property values in any manner.

FINDINGS OF FACT-VARIANCE FOR GROVE ROAD DRIVEWAY CONSTRUCTION

The Findings of Fact for the variance related to the Grove Road driveway construction were as follows:

The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The driveway has been in existence for a number of years and could be utilized by other agricultural uses on the property. Having the primary access off of Grove Road instead of Route 126 ensures that employees of the proposed use will not cause increased traffic congestion on Route 126 because the business deliveries will utilize the Grove Road access.

The conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Other properties zoned A-1 that were in existence prior to Kendall County adopting zoning in 1940 could have similar issues. The exact number of properties with lawfully non-conforming driveways is unknown.

The alleged difficulty or hardship has not been created by any person presently having an interest in the property. Petitioners did not construct the subject driveway.

The granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The maintenance of the driveway as proposed will not harm public welfare. No retail is planned for the site. Therefore, no large increase in the amount of vehicles entering and exiting the property on Grove Road is anticipated.

The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. The variance will not cause congestion or endanger public safety because little additional traffic is anticipated at the property. There should be no risk of fire and property values will not be impacted if the variance is granted.

RECOMMENDATION

Approval subject to the following conditions:

1. The site shall be developed substantially in accordance with the submitted site plan and landscaping plan.
2. Pending approval of the Illinois Department of Transportation, the owners of the business allowed by the special use permit shall have the option to install a right-in, right-out access off of Route 126; signage shown on the site plan may be adjusted to reflect this access.
3. A variance to Section 4:05.B and Section 11:02.F.7 of Kendall County Zoning Ordinance shall be granted to allow outdoor parking and loading no closer than twenty-five feet (25') of the right-of-way line of Route 126 and to allow a portion of the accessible parking space to be no closer than sixty-nine feet (69') of the south right-of-way line of Route 126.
4. A variance to Section 11:02.F.4 of the Kendall County Zoning Ordinance shall be granted to allow parking spaces with a depth of eighteen feet (18') with an overhang of two feet (2').
5. A variance to Section 4:09.A of the Kendall County Zoning Ordinance shall be granted to allow the existing driveway on Grove Road to be less than twenty feet (20') in width until such time as the driveway is replaced.

6. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.
7. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
8. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
9. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
10. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the site plan. The maximum height of the piles of landscaping related material shall be six feet (6') in height.
11. No retail sale of landscaping materials may occur at the subject property.
12. A maximum of seventeen (17) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work.
13. The hours of operation of the business allowed by this special use permit shall be daily from 7:00 a.m. until 7:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.
14. Any structures constructed, installed, or used related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.
15. Signage shall be limited to the signs shown on the site plan. Signage may be illuminated as outlined on the site plan. Signs within rights-of-way may be relocated to another location on the property if requested by the Illinois Department of Transportation without the need to amend this special use permit. Religious signs in existence on the property at the time of application submittal shall be exempt from permitting requirements.
16. Except for the lighting around the business sign, the lights shown on the site plan shall be considered for security purposes.
17. Damaged or dead plantings described on the landscaping plan shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
18. Any vegetation described on the landscaping plan that has not been installed by the approval date of this special use permit shall be installed within ninety (90) days of the approval of the special use permit. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the vegetation.
19. The owner of the subject property shall plant trees to fill in the gaps on the western property line as outlined in the landscaping plan. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to plant the screening. The site plan may be adjusted without an amendment to the special use permit to reflect the addition of these trees.
20. Vegetation related to the operations of a nursery on the property shall be exempted from the planting and vegetation maintenance requirements of this special use permit.

21. No landscape waste generated off the property can be burned on the subject property.

22. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

Only those homes in existence or permitted prior to the issuance of the special use permit can file noise complaints.

23. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.

24. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.

25. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.

26. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

27. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

28. This special use permit and variances shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special use conducted on the property.

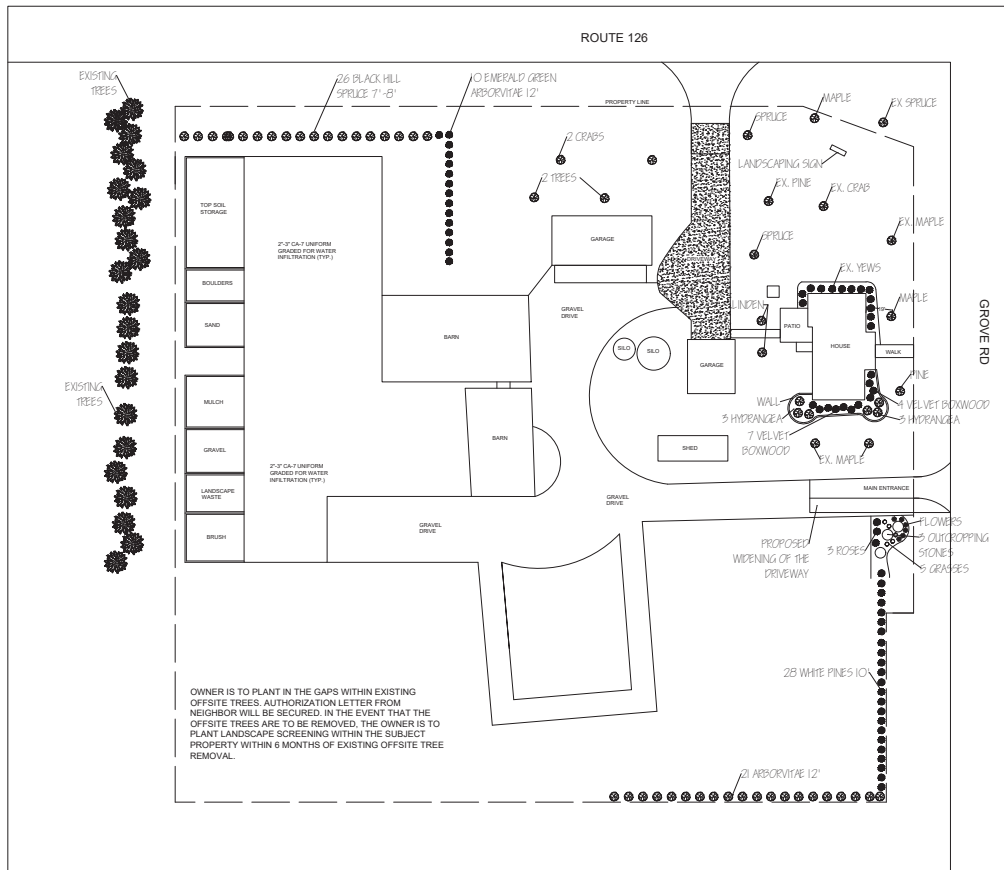


DEVELOPMENT AREA:	
1. NEW GRAVEL PARKING & DRIVEWAYS	15,317 SF
2. NEW FLOWER & PLASTIC FLOWER STORAGE	2,631 SF
4. NEW MISCELLANEOUS STORAGE ALONG WEST PROPERTY LINE (CONCRETE BLOCKS ONLY)	887 SF
5. NEW CONCRETE WALKWAY & PATH EXTENSION	142 SF
6. NEW ASPHALT DRIVE AREA & HANDICAP ACCESSIBLE PARKING AREA	1,199 SF
	TOTAL = 24,136 SF
TOTAL OF 24,136 SF < 45,000 SF THRESHOLD OF SITE RUNOFF REQUIREMENTS	

TOTAL OF 24,136 SF < 45,000 SF THRESHOLD OF SITE RUNOFF REQUIREMENTS

SITE BENCHMARK: CUT CROSS ON THE NORTHEAST CORNER OF THE RIM OF A SQUARE CATCH BASIN LOCATED ON THE WEST SIDE OF GROVE ROAD APPROXIMATELY 11.5 FEET NORTH OF THE DRIVEWAY APRON (CONNECTED TO GROVE ROAD) OF THE SUBJECT PROPERTY. SEE DRAWING FOR EXACT LOCATION. ELEVATION = 950.64 (NAVD 88)

PLANS PREPARED FOR:
R & S LANDSCAPING & NURSERY
[REDACTED]
ATTN: ROMAN CORREA



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N
SCALE: $\frac{1}{32}'' = 1'0''$